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Michael Cook, 2010

The Islamic Scholarly Tradition

Studies in History, Law, and Thought
in Honor of Professor Michael Allan Cook

Edited by

Asad Q. Ahmed
Behnam Sadeghi
and Michael Bonner



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AQA

BS

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NOTES ON CONTRIBUTORS

ASAD Q. AHMED, Ph.D., Princeton (2007), is Assistant Professor of Arabic and Islamic Studies at Washington University in St. Louis. He was formerly Harper Schmidt Assistant Professor in the College and Fellow in the Society of Fellows, The University of Chicago (2006–7). He has published on early Islamic social history and Islamic intellectual history, including the forthcoming *The Religious Elite of the Early Islamic Hijāz* (P&G, University of Oxford, 2011) and *The Deliverance: Logic* (Oxford University Press, 2011). His awards include fellowships and grants from the National Humanities Center, the NEH, the Stanford Humanities Center, the Mellon Sawyer Seminars, and the Institute for Advanced Study, Princeton.

KAREN BAUER is a Research Associate in the Qur'anic Studies unit of the Institute of Isma'ili Studies, London. She obtained her Ph.D. from Princeton University in 2008. Her research focuses on Qur'anic exegesis and gender. She has publications in *Religion Compass* and the *Journal of the American Oriental Society* (forthcoming). Dr. Bauer is currently working on an anthology of translations of Qur'anic verses on women and their commentaries, and a monograph about women's status in works of Qur'an commentary.

MICHAEL BONNER is Professor of Medieval Islamic History in the Department of Near Eastern Studies at the University of Michigan. He received his Ph.D. from Princeton in 1987. His recent publications include *Jihad in Islamic History: Doctrines and Practices* (Princeton University Press, 2006), and *Poverty and Charity in Middle Eastern Contexts*, co-edited with Amy Singer and Mine Ener (SUNY Press, 2003). He was Director of the University of Michigan Center for Middle Eastern and North African Studies in 1997–2000 and 2001–2003, and Acting Chair of the Department of Near Eastern Studies in 2007–08.

MARIBEL FIERRO is Professor at the Centre of Human and Social Sciences at the Higher Council for Scientific Research (CSIC), Madrid. She has worked and published on the religious and intellectual history of al-Andalus and the Islamic West. Among her recent publications are *Abd al-Rahman III, The first Cordoban caliph* (Oneworld, 2005);

“Proto-Malikis, Malikis and reformed Malikis,” in *The Islamic School of Law: Evolution, Devolution, and Progress*, edited by P. Bearman, R. Peters and F.E. Vogel (Harvard University Press, 2005); “Decapitation of Christians and Muslims in the Medieval Iberian Peninsula: Narratives, Images, Contemporary Perceptions,” *Comparative Literature Studies* 45 (2008): 137–64; and “Alfonso X ‘the Wise’, the last Almohad caliph?” *Medieval Encounters* 15 (2009): 175–198.

NAJAM HAIDER is an Assistant Professor in the Religious Studies Department of Barnard College. He completed his Ph.D. at Princeton University in 2007 and has published articles focusing on Islamic historiography and the origins of sectarian identity. His research interests include Islamic law, Imāmī and Zaydī Shi‘ism, and the impact of colonization on modern Islamic political and religious discourse. He is the author of the forthcoming book *The Origins of Shi‘ism in 8th Century Kūfa*.

LEOR HALEVI is Associate Professor of History at Vanderbilt University. He is the author of *Muhammad’s Grave: Death Rites and the Making of Islamic Society* (Columbia University Press, 2007), winner of the Albert Hourani Award, the Ralph Waldo Emerson Award, and an American Academy of Religion Award for Excellence. He graduated from Princeton in 1994, as a Bachelor of Arts, after completing his senior thesis under the guidance of Michael Cook. The medieval Christian dialogue about Islam that he analyzes in this volume has been a fun diversion from his current research, which concerns Western objects in Islamic law.

JANE HATHAWAY is Professor of History at Ohio State University and a specialist on the Ottoman Empire before 1800. Her publications include *The Arab Lands under Ottoman Rule, 1516–1800* (Pearson/Longman, 2008), winner of the Turkish Studies Association’s 2008 M. Fuat Köprülü Book Prize; *Beshir Agha, Chief Eunuch of the Ottoman Imperial Harem* (Oneworld, 2006); *A Tale of Two Factions: Myth, Memory, and Identity in Ottoman Egypt and Yemen* (SUNY Press, 2003), winner of the 2005 Ohio Academy of History Publication Award; and *The Politics of Households in Ottoman Egypt: The Rise of the Qazdağlis* (Cambridge University Press, 1997). She has also edited several volumes, including *Al-Jabarti’s History of Egypt* (Markus Wiener Publishers, 2009).

R. STEPHEN HUMPHREYS is Professor of Islamic and Middle Eastern History at the University of California, Santa Barbara. His publications include *From Saladin to the Mongols: The Ayyubids of Damascus* (SUNY, 1977), *Islamic History: A Framework for Inquiry* (Princeton University Press, 1991), and *Between Memory and Desire: The Middle East in a Troubled Age* (University of California Press, 1999/2005). He has been a Member of the Institute for Advanced Study, Princeton (1980–1), the Editor of the *International Journal of Middle East Studies* (1994–99), and the President of the Middle East Studies Association of North America (2001).

NIMROD HURVITZ is a Senior Lecturer at Ben Gurion University. He graduated from Princeton in 1994. He published about the Ḥanbalis, *The Formation of Ḥanbalism, Piety into Power* (RoutledgeCurzon, 2002) and “From Scholarly Circles to Mass Movements: The Formation of Legal Communities in Islamic Societies,” *American Historical Review* (2003). Currently his research and publications include *siyāsa sharʿiyya*.

NANCY KHALEK is Assistant Professor of Religious Studies at Brown University, specializing in Islam in the early classical period. She received her Ph.D. in history from Princeton University in 2006. Her research and publications explore issues of identity, narrative and authority in the period from late antiquity to early Islam. In addition to a focus on the formative period of Islamic history, her other research interests include hagiography and historiography in the Byzantine and Islamic worlds, relic and saint veneration, Christian-Muslim dialogue, and material culture. Her book, *Damascus after the Muslim Conquest: Text and Image in Early Islam* (Oxford University Press) will be appearing in 2011.

ADAM SABRA is Associate Professor of History at the University of Georgia. He received his Ph.D. in Near Eastern Studies from Princeton University in 1998, where he studied with Michael Cook and Abraham L. Udovitch. He is the author of *Poverty and Charity in Medieval Islam: Mamluk Egypt, 1250–1517*. He has also published on Sufism and on Islamic legal theory. His current research focuses on the Egyptian Bakri family in the Ottoman period.

BEHNAM SADEGHI is Assistant Professor of Religious Studies at Stanford University. He completed a Ph.D. in 2006 at Princeton University. He is the author of "The Chronology of the Qur'ān: A Stylometric Research Program," *Arabica*; "The Traveling Tradition Test: A Method for Dating Muslim Traditions," *Der Islam*, 85/1 (2010): 203–242; "The Codex of a Companion and the Qur'ān of the Prophet," *Arabica*, 57 (2010): 343–436; "The Authenticity of Two 2nd/8th-Century Legal Texts: the *Kitāb al-Āthār* and *al-Muwaṭṭa'* of Muḥammad b. al-Ḥasan al-Shaybānī," *Islamic Law and Society*, 17/3 (November 2010); and *Women and Prayer in the Islamic Legal Tradition: The Logic of Law Making* (Cambridge University Press, forthcoming).

PETRA M. SIJPESTEIJN holds the Chair of Arabic Language and Culture at Leiden University and is Chargée de recherche at the Institut de Recherche et Histoire des Textes at the Centre National de la Recherche Scientifique in Paris. She obtained her Ph.D. in Near Eastern Studies from Princeton University in 2004, after which she was a junior research fellow at Christ Church, Oxford (2003–2007). Her forthcoming book is entitled *The Formation of a Muslim State in Late Umayyad Egypt*. She is also the co-editor of *History and Arabic Papyrology* (with L. Sundelin, E.J. Brill, 2001), *From al-Andalus to Khurāsān* (with L. Sundelin, S. Torallas-Tovar and A. Zomeno, E.J. Brill, 2006) and *Documents and Medieval Islamic History* (with A.T. Schubert, E.J. Brill, 2008). She is currently working on a history of the Egyptian countryside under the first two hundred years of Muslim rule.

JUSTIN STEARNS is an intellectual historian of the pre-modern Muslim world. His work has examined Christian and Muslim conceptions of contagion, the relationship between law, ethics and science in Islam, pre-modern Muslim representations of Christians, and the creation of nostalgia for al-Andalus. His book *Infectious Ideas: Contagion in Pre-Modern Islamic and Christian Thought in the Western Mediterranean* will be appearing in early 2011 with Johns Hopkins University Press. He received his B.A. in English and History from Dartmouth College in 1998, and his Ph.D. in Near Eastern Studies from Princeton University in 2007. He taught at Middlebury College in the Religion Department from 2005–10, and now teaches at New York University—Abu Dhabi in the Arab Crossroads Studies Program.

SAMER TRABOULSI is Assistant Professor of History of the Middle East and the Muslim World at the University of North Carolina at Asheville. He received his Ph.D. in Near Eastern Studies from Princeton in 2005. He is mainly interested in the formation and development of religious groups in the Muslim World and has published a book and a number of articles on the Ismā'īlīs in Yemen, the rise of the Wahhābī movement, and the history of Saudi Arabia.

NURIT TSAFRIR is a Senior Lecturer at Tel Aviv University, where she teaches in the Department of Middle Eastern and African History, and the Department of Arabic and Islamic Studies. She received her Ph.D. from Princeton University in 1993. She is the author of *The History of an Islamic School of law: The Early Spread of Hanafism* (Harvard University Press, 2004), and her current research focuses on Hanafi law.

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THE SCHOLARSHIP OF MICHAEL A. COOK:
A RETROSPECTIVE IN PROGRESS

R. Stephen Humphreys

The scholarship of Michael Cook has for some forty years exerted a pervasive and powerful force on Islamic and Middle Eastern studies. At least one field has been transformed by his work, another he has very nearly created. Beginning in 1970 as a highly promising scholar, he quickly became a brilliant and controversial one. He has stood at the center of the profession for so long that it is difficult to think of him any longer as controversial—at least that is not the first thing that leaps to mind—but he is surely as provocative and original as ever.

He received solid training in modern history and Oriental studies at King's College, Cambridge, and then moved to the very different atmosphere of the School of Oriental and African Studies, then (in the 1960s) at the very height of its influence. Here he pursued graduate studies under Bernard Lewis, in the new and infinitely promising field of Ottoman political and social history, where Lewis himself would make many of his most enduring contributions. The newly accessible central archives in Istanbul both promised a wholesale reevaluation of existing scholarship and opened up completely new lines of inquiry. These studies issued in Cook's first monograph, *Population Pressure in Rural Anatolia, 1450–1600* (1972). A significant contribution to the emerging field of Ottoman social and economic history in its own right, it also displayed a method and approach that would permeate his work in the years ahead. First, it was explicitly framed as a rigorous test of a hypothesis that had gained wide currency in the profession—in this case a suggestion of Fernand Braudel—scil., that rapid population growth in the eastern Mediterranean basin during the sixteenth century placed tremendous pressure on the region's grain-producing resources. Second, his examination involved both a careful probing of the sketchily articulated logic that lay behind this hypothesis, and a severe, skeptical assessment of the sources (Ottoman fiscal registers from selected provinces) that might be used to support or subvert it. He freely admitted that one might extrapolate all sorts of exciting, imaginative hypotheses from a given document;

one might see the world in a grain of sand. But, he concluded, the data actually yielded by that document rarely warranted such leaps of faith. Documents were by nature ambiguous and difficult to interpret with any precision or certainty; even if one could determine precisely what they meant, the information they contained could point equally well in many different and even contradictory directions. A scholar's first task was to see the evidence as it really was, not as he wanted it to be. Interestingly enough—and rather in contrast to some of his later work—Braudel's suggestion survived Cook's stringent critique fairly well. The Ottoman land and tax registers, he concluded, did provide tentative but significant support for it.

Cook's second book was of an entirely different kind, in approach, tone, and subject matter. In *Hagarism: the Making of the Islamic World* (1977), he joined with Patricia Crone, whom he had met while she was a postgraduate student at SOAS, to demolish the entire edifice of Western scholarship (and Muslim tradition along with it) on the origins of Islam and the rise of the Islamic Empire—an exceedingly bold move for two young scholars at the very beginning of their careers. This they did by proposing to set aside the entire corpus of early (or supposedly early) Muslim Arabic sources, including the Qur'an itself, and asking what the origins of Islam would look like if our statements were based entirely on contemporary or near-contemporary non-Muslim texts in Greek, Syriac, and Armenian. In contrast to Cook's very cautious handling of the sources he drew upon in his first book—which were after all contemporary official documents, primary sources in the strictest sense—he and his co-author exploited Christian hagiography, homilies, chronicles, and apocalypses for all they were worth.

Cook and Crone were certainly influenced by the theories of John Wansbrough (whom they had come to know during their time at SOAS) concerning the centuries-long formation of the sacred scripture we know as the Qur'an and the shadowy figure of the prophet Muḥammad to whom it was ascribed. They owed even more perhaps to the systematic skepticism evinced in Joseph Schacht's *Origins of Muhammadan Jurisprudence* (1950). But they went well beyond Wansbrough and Schacht, who had focused on Qur'an and *ḥadīth* respectively, though their arguments had very broad implications, by attempting to construct a new synthesis on the basis of early but often fragmentary non-Muslim writings. More than that, they stressed the close connections between proto-Islam (if I may use that term) and Jewish messianism, and argued that Islam achieved a distinct iden-

tity of its own—an identity that made it something different from just another Jewish sect or Christian heresy—only after decades of confrontation and debate with the existing monotheist communities of the Near East.

In so doing, they intended to demolish the comfortable, rather irenic consensus that then reigned in the field of early Islamic studies—and they succeeded, I suspect, beyond their wildest hopes. Both in methodology and historical interpretation, the first century of Islam remains today a wide-open field of debate, in which any number of mutually contradictory and irreconcilable theories are struggling to establish themselves as the dominant paradigm. *Hagarism* was a call to revolution, and after a period of puzzlement or outraged rejection by established scholars, that call found a strong following. Indeed, *Hagarism* has revitalized and reshaped the study of the first Islamic century as few books have. In this respect at least it is almost comparable to Goldziher's *Muhammadanische Studien* or Wellhausen's *Prolegomena zur ältesten Geschichte des Islams*. Energy does not mean a lack of confusion, to be sure—about the evolution of the Arabic sources, the value of non-Muslim testimony, the nature of Islam and the Caliphate in their earliest stages—but there is a methodological sophistication in current debates that simply was not present in the scholarship of the early 1970s. Moreover, scholars have enlisted a far broader body of evidence to deal with these issues, including a burgeoning corpus of archaeological data as well as many previously unknown or neglected Muslim texts.

Hagarism certainly marked a decisive turn in Cook's scholarship, which henceforth focused increasingly (though never exclusively) on medieval Islamic thought, especially the realms of theology and moral doctrine. In a very important way, this later work has taken up a mandate implicit in *Hagarism*: viz., to subject the scattered textual fragments of the first and second Hijrī centuries to a meticulous analysis and deconstruction, in order to grasp as concretely as possible the processes through which early Muslim thinkers developed their dogmas and characteristic frame of mind. Cook's characteristic methodological rigor and skepticism remained—the belief that we should not say more than the sources, meticulously vetted, actually warranted—but the polemical tone of *Hagarism* (admittedly written in part *pour épater les bourgeois*) faded away.

An early essay in this new direction was *Early Muslim Dogma: a Source-Critical Study* (1981), which remains important and influential

thirty years later. Here Cook takes up the challenge posed by *Hagarism* to ask precisely what early Muslim-Arabic texts can and cannot tell us about the origins of Islamic religious thought and consciousness. Like his first book, this one too is framed as a test of ideas proposed by other scholars, Josef van Ess first of all, but also Wilferd Madelung. (No one has ever accused Cook of going after the small fish.) Here he focuses on a cluster of early Ibādī and Murji'ite texts, which van Ess and Madelung believed to belong to the late first century A.H., in particular the reign of 'Abd al-Malik (685–705 C.E.). In a close, almost phrase-by-phrase reading of these texts, Cook ferrets out the gaps and flaws in van Ess' arguments for an early dating. He shows that the historical allusions, doctrinal arguments, language, and formal structures of these texts throw real doubt on that hypothesis, even if they do not wholly disprove it. When all is said and done, even the earliest of them are more easily placed in the late Umayyad period, almost half a century later. As always with Cook (apart from *Hagarism*), his textual critiques are fierce, his conclusions cautious and restrained. It is not impossible, he concludes, that these early theological texts were composed as early as van Ess and Madelung believe, but the preponderance of evidence suggests otherwise. The dates and authenticity of the earliest Islamic theological texts are still actively contested, and now we have van Ess' magisterial *Theologie und Gesellschaft* to contend with. Even so, it is fair to say that most scholars hedge their bets on the dating and attribution of these texts, and more importantly they discern layers of alteration and redaction which had previously escaped notice.

This slim but dense monograph was succeeded by a long series of articles on related topics. Over time, interestingly enough, these have increasingly tended to confirm important elements of early Islamic historical tradition. Thus, two articles on the early codices of the Qur'ān (published in the journal *Graeco-Arabica* in 2000 and 2004) support the canonical story that 'Uthmān did indeed establish a standardized, official text of the Qur'ān and disseminated it throughout the major military-administrative centers of the new Islamic empire.

Cook's next major work, really his *magnum opus* (at least to date), represented a new departure for him, even as it opened up a field of inquiry which was often alluded to but rarely studied in any systematic way. *Commanding Right and Forbidding Wrong in Islamic Thought* (2000) is an almost exhaustive examination of the origins and develop-

ment of the Islamic code of public morality. This massive and I daresay definitive study—a marked contrast to the terse austerity of his earlier writings—perhaps represents the fruit of his move in 1986 from, as he once put it, a “mistership” at SOAS to the Cleveland Dodge Professorship in Near Eastern Studies at Princeton, as successor to his former mentor Bernard Lewis.

Like all of his work, *Commanding Right* is based on a close reading of the textual evidence, with due attention to the subtle differences between superficially similar formulations of doctrine. In contrast to his first three books, however, this one is not framed as a critique of existing scholarship. On the contrary, it is an explicitly synthetic work, which asks how the enormously powerful topos of *al-amr bi-l-ma'rūf wa-l-nahy* ‘*an al-munkar* took root as a central motif of Islamic moral thought, a role which is perhaps even more salient today than it was in medieval times. The book is distinguished by many qualities—clearheadedness, precision of expression, great erudition, but most of all perhaps by the titanic quantity of material which it lays before us. Apart from a number of important prizes, it has received the signal honor of a translation into Persian, a fact that places it among a select body of Western Islamic studies which scholars who live and work in Muslim countries have found both useful and acceptable.

Professor Cook is no stranger to the modern Middle East. Apart from an important chapter on contemporary Islamic thought in his *Commanding Right*, he published four important articles between 1986 and 1992 on the early Wahhābī movement and the rise of the first Saudi amirate. He has also shown an uncommon capacity to explain the arcana of our field to a more general audience; his short biography of Muḥammad (1986) and his very deft *The Koran: A Very Short Introduction* (2000) are models of the sort of clear, concise exposition that still does justice to the complexity of the topic at hand. It is a talent which he has now put to work on a broader canvas. Something that one might not have guessed from Cook's finely focused (albeit extremely wide-ranging) scholarship is his interest in world history on the grand scale, which has found expression in *A Brief History of the Human Race* (2003). This is not quite what its title might imply, since it deals only with the last 10,000 years. On the other hand, it reaches across continents and oceans with easy erudition, penetrating questions, and a fair amount of dry wit. I would not call this book a capstone to Professor Cook's remarkably productive career; it is perhaps

more by way of a stocktaking while he figures out where his studies will take him next. This much we can say: the results of that quest are certain to be provocative and important, whether they open up some entirely new field of inquiry or simply make us look again at things we wrongly thought we already knew.

INTRODUCTION

Michael Bonner

Michael Cook is one of the most important, productive and influential scholars active today in Islamic history, Qur'anic studies, Islamic law and theology, and several related fields and subfields. His work delves deeply into many topics and disciplines, but at the same time it does not lend itself easily to characterization under neat headings. Not that some critics haven't tried: especially after the appearance of *Hagarism* in 1977, Professor Cook and his coauthor, Patricia Crone, were often described as the founding members of a "revisionist" or "skeptical" school of early Islamic historical studies. On balance, however, these critics misstated the case. Professor Cook's published work is comprehensive, subtle, learned and refined, covering a wide range of topics and using a variety of approaches. The reader of this work is constantly struck by Professor Cook's consistently high standard of scholarly accuracy, his lucidly clear argumentation, expression and style, his wide and profound learning, his utterly British irony, and above all, his love for the subject-matter, which amounts to no less than the history, law, thought and civilization of Islam, especially (though not exclusively) in the premodern age.

These same qualities have been typical of Professor Cook's activity as the teacher of many students, undergraduate and graduate, in Britain and America. He has always empowered these students (as well as his readers) by showing them how to construe a problem, where to find evidence for it, how to marshal this evidence and how to find even more of it, how to construct and to challenge an argument, and so on. His modesty, wit, hard effort, and intellectual good taste have combined to inspire students and readers for several decades and to help them find their own voices and paths.

The present volume, presented to Professor Cook on the occasion of his seventieth birthday, brings together essays by a representative sample of writers who studied with him either during his tenure at the School of Oriental and African Studies (SOAS) or at Princeton since his arrival there as the Cleveland E. Dodge Professor of Near Eastern Studies in 1986. These range from a scholar who took his seminars at SOAS

(Maribel Fierro) to the first student who took a PhD from Princeton under his guidance (Michael Bonner) to some of the most recent (Asad Q. Ahmed, Karen Bauer). In these fourteen contributions it is easy to identify a wide array of interests and approaches. Here they have been arranged in four sections which correspond rather neatly to the main areas of Professor Cook's scholarly output and teaching, as described above in the Preface ("Retrospective") by R. Stephen Humphreys.

The first of these areas is early Islamic history. As the Preface has already mentioned, early Islam was actually Professor Cook's second main area of research, after early modern and Ottoman history. And while much of Professor Cook's subsequent activity has been in what we often call Islamic or religious studies—the study of the Qur'ān, theology, mysticism and law—he began as a historian and has maintained a historian's approach throughout his career. Here it may be useful to set out a few brief points about Professor Cook's contributions in this area, especially since these points will apply broadly to the other three areas as well.

First of all, though Professor Cook has been accused of maintaining an overly skeptical, even nihilistic view of the Muslim Arabic written sources for early Islam, this accusation does not hold, as the Preface has already shown. Even *Hagarism* did not simply declare these written sources invalid or useless. Instead it began with the critique of them which had already been achieved by scholars such as Schacht, Wansbrough and Noth, and then proceeded to an experiment with the non-Muslim sources, to see if these could form the basis for another view.¹ In fact, Professor Cook's views on the Muslim sources for early Islam are subtle and profound, if sometimes less than reassuring.² For many scholars active in this area, the governing question has been: "Can we reconstruct early Islamic history with any degree of confidence?" While Michael Cook has not shied away from this question, he has also gone in other directions which have proved, in the end, more fruitful and interesting.

¹ *Hagarism* (Cambridge: Cambridge University Press, 1977). Since then the experiment with the non-Muslim sources has been carried further, notably by Robert G. Hoyland in *Seeing Islam as Others Saw It* (Princeton: Darwin Press, 1997).

² An eloquent and succinct expression of these views appears in the later chapters of *Muhammad* (Oxford University Press, 1983)—a fact which often eludes undergraduates attracted to this book because of its brevity and clarity.

Michael Cook has acquired, and has generously enabled others to acquire, an intimate and extensive familiarity with the primary sources, beginning with texts in classical Arabic. He pursues issues in these texts—such as attribution of authorship, the titles and contents of works, the meanings of words and phrases, the development of doctrines and practices, parallels with other religious, cultural and linguistic traditions—with a love of detail and a remarkable, actually unique ability to bring together the known sources regarding a given problem and to unearth new ones. At the same time, while he often takes considerable pains to establish a point, once he has arrived there he does not usually go on exemplifying this point repeatedly in different contexts. In other words, while Michael Cook's work is often technical and detailed, it avoids the scholastic rehashing of historiographical and other issues that we sometimes see in academic writing in many fields, including this one.

Especially relevant to Michael Cook's activity as a teacher is the fact that he has always connected his historical work to the other fields just mentioned, including Qur'ānic studies and Islamic theology and law. So for instance, his students in Islamic history quickly understand that they must master a variety of genres, beyond the (already vast) Arabic chronicle tradition with its focus on political and military events. After all, if the early Islamic world left us little or nothing by way of formal, official archives, it did produce great riches in the areas of theological and juridical reflection, scriptural exegesis and so on. Not only are these areas fair game for historians, they are necessary objects of study for them.

To resume, then, the first part of this volume is devoted to "Studies in Early Islamic History." In "‘Time Has Come Full Circle’: Markets, Fairs, and the Calendar in Arabia before Islam," I set out some familiar questions and then seek answers to them in sources which have not yet been used this way. These questions have to do with the calendar in pre-Islamic Arabia: in particular, was this calendar adjusted to the seasons of the solar year, through intercalation? After summarizing the problem, I go on to an Arabic literary tradition on "the markets of the Arabs." My analysis of this tradition supports the notion that the pre-Islamic calendar was indeed adjusted to the seasons of the solar year and that the Arabs did practice intercalation. I then tie "the markets of the Arabs" both to pre-Islamic notions of time and calendar and to patterns of trade and exchange. I argue that the representations of these matters in the extant Arabic sources rest upon underlying

patterns that represent quite different—and ultimately incompatible—visions of the moral and economic universe.

In “The *Waṣīyya* of Abū Hāshim: The Impact of Polemic in Pre-modern Muslim Historiography,” by Najam Haider, we again find differing visions, this time of what we might call the moral and political universe. Haider discusses a narrative episode which is familiar in its outline, but has received little analysis until now. This episode takes place in the early eighth century CE and has as its protagonist Abū Hāshim, a grandson of ‘Alī and a son of Ibn al-Ḥanafīyya, both of them previous claimants to the supreme office of Caliph. Here Abū Hāshim, once he realizes that death is upon him, transfers his own claim to the ‘Abbāsīd family. Of course this episode later served the purposes of the ‘Abbāsīd dynasty and its sympathizers, as they argued that they (the ‘Abbāsīds) had rightfully assumed the office of Caliph even though, by their own logic, it might well have gone to the ‘Alids, direct descendants of the Prophet through the female line. Haider performs the useful task of collecting the disparate versions of this episode, as reported in the Arabic historians, and setting them in order. Instead of a welter of conflicting detail, we now see a set of coherent, conflicting positions, presented with subtle literary art. In identifying these trends and the environment in which they arose, Haider draws on the work of Jacob Lassner. He also proves a worthy disciple of Michael Cook, by showing critical acumen while absorbing and analyzing a great mass of detail, all the while looking beyond the question of which, if any, of the versions of the episode may have been historically “authentic.” Haider also does not limit his discussion to the “classical” Arabic historians, but follows the episode in historical writings from the Mamlūk era in Egypt and Syria.

Petra Sijpesteijn addresses a very different historical topic in “Building an Egyptian Identity.” In modern terms, this subfield of Islamic historiography can fairly said to have been carved out by Michael Cook, in a kind of polemical partnership with the late Ulrich Haarmann.³ By the standards of modern Egyptology, the early Muslims in Egypt were rather poor in their knowledge of the country’s ancient history and culture, having no idea, for instance, of Manetho’s sequence of

³ “Pharaonic History in Medieval Egypt,” *Studia Islamica* 57 (1983): 67–103; and “Abū Hāmid al-Qudṣī (d. 888/1483),” *Journal of Semitic Studies* 28 (1983): 85–97. The immediate occasion was Haarmann’s objection to statements in *Hagarism* regarding Egyptian identity, see Sijpesteijn’s article below, note 3.

royal dynasties, and lacking any idea of how to read hieroglyphs. However, as a distinctively Egyptian voice emerged within Arabic literature and historical writing, there also emerged, in Arabic, a suitably grand vision of the Pharaonic past, expressed in diverging versions which Michael Cook has already traced. Petra Sijpesteijn here discusses an episode found in Ibn ‘Abd al-Ḥakam’s *Conquest of Egypt* and in later Egyptian works of history. After Pharaoh and all of Egypt’s free males have drowned in the Red Sea, the Egyptians appoint a lady, the elderly Dulāka, as their Pharaohess. Shrewd and prescient, Dulāka orders the building of a defensive wall around the entire country. Remnants of this wall, several Arabic writers say, are still visible, especially in Upper Egypt. Sijpesteijn traces this motif of the wall through the Mamlūk era and beyond. She relates its origins to the emergence of an Egyptian identity within Islam, and more specifically to the arrival of new, non-Arab elites in Egypt—and the consequent weakening of the older Arab elite—together with the conversion of a majority of the country’s population to Islam.

From Egypt we move to al-Andalus, in Maribel Fierro’s “The Battle of the Ditch (*al-Khandaq*) of the Córdoba Caliph ‘Abd al-Raḥmān III.” This battle, which took place in 939, appears in all our histories of Islamic Spain. At the same time, the “Battle of the Ditch” is familiar to students of general Islamic history, as the name of a long, inconclusive battle fought by the Prophet Muḥammad some five years after his arrival in Medina, and some three centuries before ‘Abd al-Raḥmān’s battle of the same name. Fierro shows, first of all, that no such “ditch” can be identified in the relevant Spanish topography, then or now. Why, then, did the historians describe the battle this way? The real events are difficult to discern, but in any case they amounted to a humiliating setback for ‘Abd al-Raḥmān III. Historians who favored the Spanish Umayyad dynasty referred to “the ditch” to justify and to rationalize whatever it was that had actually happened. But then, ironically, anti-Umayyad writers did much the same, with hostile, polemical intent. The reference to “the ditch” was ambiguous enough to encompass these conflicting interpretations. Here we see something like the opposite of what have just noted in Petra Sijpesteijn’s article: whereas historians in Egypt used (or invented) episodes in their local or national past to forge a place for themselves within the larger Muslim world, in al-Andalus at roughly the same time, some historical writers deployed the “ecumenical” Muslim past to interpret (or distort) controversial episodes in their own local or national environment.

We return to the center of the early Islamic political and historiographical worlds in Nancy Khalek's "Imperial Historiography and Hagiography: The Case of Abū Ayyūb al-Anṣārī." In this detailed study, Khalek shows both the lasting power and the ambivalence of particular themes and motifs within the genre of biography. For centuries, Abū Ayyūb was reasonably well known as a Companion of the Prophet Muḥammad and as a warrior who had been buried before the walls of Constantinople in the great expedition of 717–18. He was revered, even by his Byzantine Christian adversaries, even though he was confused at times with his commanding general at Constantinople, Maslama b. 'Abd al-Malik. When, however, the Ottomans began to see Constantinople as an attainable goal, and when they achieved that goal through conquest in 1453, the figure of Abū Ayyūb was magnified and transformed, as he became a vehicle for the expression of the empire's claims to its own capital city, and a lasting element in that city's topography.

The second section of this volume consists of "Studies in Early Modern and Modern Islamic History." Again, we may recall that Michael Cook began his scholarly career by working with documents in Ottoman Turkish on problems of early modern economic and social history, and that afterward he wrote several major articles (and taught fascinating seminars) on the rise of the first Saudi state in east central Arabia, beginning in the late eighteenth century.

Adam Sabra's contribution, "The Second Ottoman Conquest of Egypt': Rhetoric and Politics in Seventeenth-Century Egyptian Historiography," combines an analysis of Ottoman provincial politics with historiographical insights. As in several of our previous contributions, the starting point here is an episode, the suppression of a mutiny by Ottoman soldiers in Egypt in the early seventeenth century CE. Sabra clarifies the relations among the written sources for this event, and discovers a rather startling example of real-life intertextuality. Some time after these events, a certain al-Sa'dī wrote a book devoted to them. Later in his life, this same al-Sa'dī wound up as the copyist of a manuscript of a similar work by the better-known historian al-Bakrī, a member of the family who were al-Sa'dī's patrons at the time; this work was based largely on his (al-Sa'dī's) history, but without attribution! This must have been a bitter task for al-Sa'dī, but not completely unexpected in this world divided so remorselessly into patrons and clients. Sabra goes on to show some of the inner workings of Ottoman

Egyptian households and Sufi circles, as well as the army, administration and court. He contrasts the idealizing and ideological representation of the mutiny and its repression—including the presentation of the then-governor of Egypt in messianic terms—with the subtle realities of power, patronage and negotiation. He traces subsequent treatments and descriptions of this episode, and shows why it looms so large in early modern Egyptian historiography.

In “*Ḥabeṣī Mehmed Agha: The Chief Harem Eunuch (Darüssaade Ağası) of the Ottoman Empire*,” Jane Hathaway singles out the first eunuch to hold the position of First Chief Harem Eunuch in the Ottoman palace, in the later sixteenth century. In contrast with many of the historical periods that this volume has covered so far, the record here is outstandingly rich. Not only do we have documentary evidence and literary histories, but also the visual arts, of which Mehmed Agha was a patron. In particular, he patronized the magnificent miniature painting of his day, where we sometimes see him portrayed at court ceremonies, in proximity to the Sultan. Hathaway’s detailed and vivid portrait of this character has as its backdrop a period of change in the Ottoman empire, which some have characterized as decline. In particular, the harem was becoming a major element in the high politics of the time. As in Sabra’s contribution, we see an Ottoman empire growing more decentralized, even as it remains fixated upon its Sultan and its imperial court.

Samer Traboulsi’s contribution, “‘I Entered Mecca . . . and I Destroyed All the Tombs’: Some Remarks on Saudi-Ottoman Correspondence,” contributes to a field which Michael Cook has enriched considerably, namely the history and historiography of the early Saudi state. The context is the takeover of the Ḥijāz by the Saudi commander and heir apparent, Su‘ūd b. ‘Abd al-‘Azīz. Upon entering Mecca in 1803, Su‘ūd is said to have sent a letter to the Ottoman sultan Selim III, making claims and using language that might be described, depending on one’s point of view, as either boldly confident or insolent. In any case, this letter does not appear in Arabic-language histories until over a century later. In searching for its origins, Traboulsi performs extensive detective work in Arabic and European writings, finally identifying a source for the letter which is at once surprising, non-Arabian and non-Muslim. Here both the problem addressed by Traboulsi and the approach he uses to solve it have a certain amount in common with what we have already seen in the contributions to early Islamic history.

In both instances—early Islamic and early Saudi history—a problematic attribution and a misplaced or forged text can have terrific consequences for our view of larger historical events and the processes underlying them.

The third section of this volume is devoted to “Juridical and Intellectual History.” This is an area where Michael Cook’s contributions have been universally recognized as outstanding, from his earlier work on the origins of *kalām* and early Muslim dogma to his more recent, magisterial *Commanding Right and Forbidding Wrong in Islamic Thought*. Once again, it is important to remember that Cook’s efforts here have been those of a historian of Muslim society and politics, as well as of a scholar of doctrines and practices.

A similar combination—in this case, the study of legal doctrine and of military history—underlies the first contribution in this section, Nurit Tsafrir’s “The ‘Āqila in Ḥanafī Law: Some Preliminary Notes.” At issue here is the practice of holding a group of men, known as an ‘*āqila*, to be mutually liable for blood-money in cases of homicide or injury against other, outside parties. This practice carried over from pre-Islamic Arabia, where it was apparently customary, into the early Islamic state. Our evidence for the practice comes almost entirely from texts of Islamic law, which Tsafrir subjects to a sharp and comprehensive analysis. She concentrates on the doctrines of the Ḥanafī school, because these stand out from the others: a man’s ‘*āqila*, say the Ḥanafīs, consists of his comrades in his unit, who are not necessarily his blood relatives; if he incurs a payment of blood-money (*diya*), this is deducted from all their stipends, or in effect, from their pay. Tsafrir follows this matter through generations of juridical and military rulings. Not only does she illuminate the workings of Islamic law, but she opens the door to a detailed understanding of armies and soldiers in early Islam, such as cannot be achieved on the basis of the Arabic chronicles alone. Tsafrir concludes with a discussion of Ḥanafī teachings regarding the ‘*āqila* in later times and different places, especially Iran and India, where the old Arabian sense of the term no longer made much sense.

Nimrod Hurvitz addresses a somewhat broader issue in “Legal Doctrines, Historical Contexts, and Moral Visions: The Case of Sectarians in the Courts of Law.” Should courts allow the testimony of Muslims who, even if they are acknowledged to be morally and intellectually sound, hold doctrinal beliefs that are incorrect or reprehensible? This problem of “sectarian testimony” is at once theoretical and practical, juridical and political. Hurvitz begins by tracing this question in the

actual conduct of judges—so far as this can be ascertained—in the early centuries of Islam. He then maps out the positions of the Sunnī jurists over a longer period of time, and then examines their underlying reasoning. Here the tectonic plates of legal reasoning and moral hierarchy come into contact; and as in several other contributions to this volume, the jurists' positions ultimately rest on different, and ultimately incompatible, visions of the order of the world.

We come to a later time and an even broader topic in the contribution by Justin Stearns, "The Legal Status of Science in the Muslim World in the Early Modern Period: An Initial Consideration of *Fatwās* from Three Maghribī Sources." Stearns takes as his starting point the debate around the work of the sociologist of science Toby Huff. Why did modern science emerge in Europe, rather than some other place such as China or the Islamic world? For many readers, some commonly-held ideas quickly come to mind: that independent inquiry ground to a halt in the Islamic world in the early modern period, that Reason lost out in its long contest with Faith, and so on. Stearns shows that these suppositions vastly oversimplify the matter at hand. Within Islamic legal studies, first of all, the old idea of a "closing of the gates of *ijtihād*" has now become discredited, and with it the picture of an Islamic legal system which became sclerotic and tradition-bound, blindly following and reproducing its doctrines and methods without any inquiry into sources, logic and so on. In other words, we know now that Muslim jurists maintained lively and sharp debates on all sorts of topics, including new and controversial ones. Accordingly, Stearns examines a set of Maghribī *fatwās*, legal opinions expressed by authoritative jurists, ranging from Qāḍī 'Iyāḍ in the twelfth century to al-Wazzānī in the twentieth, regarding the use and permissibility of science (including astronomy and chemistry/alchemy) and medicine. Not surprisingly, Stearns does not identify a unified discourse on these matters, but he finds that for the most part these jurists express approval of scientific discovery and appreciate the advantages of technology, while keeping in mind the requirements of morality and of God's law.

The fourth and final section of the volume is on "Reinterpretations and Transformations." Here we look for broad views and contexts, both within and without the boundaries of Islamic history and Islamic studies as we usually think of them.

In "‘I Have Seen the People’s Antipathy to this Knowledge’: The Muslim Exegete and His Audience, 5th/11th–6th/12th Centuries," Karen Bauer discusses the reception and dissemination of *tafsīr*

(Qur'ānic exegesis) in an age when this genre was especially flourishing. For whom did the exegetes compose their commentaries, and for what purposes and occasions? The matter is complicated for a number of reasons, including the appearance of literary conventions such as "I have reluctantly composed this work because of the insistence of friends," or "I have written this book because of the appalling ignorance of my contemporaries," or "I have *not* written such a book because of the ignorance of my contemporaries." Karen Bauer shows what sorts of material may have been used on occasions of "popular preaching," and what works were directed at scholarly audiences. Among the latter she draws important distinctions, including advanced specialists, interested non-specialists, beginners, lazy dilettantes, and so on. She shows that works of *tafsīr* were fine-tuned with regard to their audience. Toward the end of the paper, Karen Bauer relates the genre of *tafsīr* to the development of the main institution of higher education at the time, the *madrasa*. This discussion of the *madrasa* has the great advantage of proceeding from the exegetical texts themselves—whether these were used as manuals and textbooks or in other ways—rather than trying to achieve a general view of the madrasa's curriculum, or questioning the existence of such a curriculum, or searching for details on the lives and networks of individual authors. In other words, Bauer has discovered a new and fruitful path to explore here in the history of Islamic education, as well as the history of scriptural exegesis.

In "*Lex Mahomethi: Carnal and Spiritual Representations of Islamic Law and Ritual in a Twelfth-Century Dialogue by a Jewish Convert to Christianity*," Leor Halevi discusses Petrus Alfonsi, who converted from Judaism to Christianity after growing up in a Muslim environment in Spain, and subsequently lived in several western European countries. Petrus' famous *Dialogues against the Jews* includes what seems like a rather well-informed discussion of Islam. Accordingly, modern authors such as Southern and Daniel have singled him out as an early advocate of a rational and informed approach to Islam, at a time (the early twelfth century) when Christian Europe was flooded with misrepresentations and false information about this matter. However, Halevi shows that this view does not hold. First of all, the work has the literary form of a dialogue, pitting the author's former, Jewish self ("Moses") against his present, Christian self ("Petrus"). Moses is not portrayed unsympathetically, and he has first-hand information about the "law of Muhammad," but he is clearly intended to lose the

argument. More precisely, the reader is expected to contrast Moses' "carnal" approach to Islam with Petrus' "spiritual" approach. Underlying this contrast, of course, is the polemical view of Judaism held by Latin Christian intellectuals. Meanwhile, Petrus' more hostile response to Islam wins out over Moses' more sympathetic (and better-informed) account of it. Whether we should consider Petrus Alfonsi, the author of the dialogue, as an "objective" voice becomes all the more complicated as a result. Halevi analyzes this complex episode of cultural encounter and clash with Cookian precision, clarity and wit.

In the concluding essay, "Systematic Growth in Sustained Error: A Case-Study in the Dynamism of Post-Classical Islamic Scholasticism," Asad Q. Ahmed takes up a problem similar to the one handled in the earlier contribution by Justin Stearns. Broadly speaking, did Islam in the post-classical era (in European terms, from the late Middle Ages until modernity) suppress or stifle rational inquiry? Like Stearns, Ahmed approaches the question through a detailed analysis of texts, but now with a focus on the highly technical field of logic. His case-study involves a certain al-Āmidī, an Ottoman logician who lived in the mid-eighteenth century. For centuries, logical systems and curricula had been based on the work of the eleventh-century philosopher Avicenna (Ibn Sīnā). However, while the Ottoman curriculum in al-Āmidī's day included works by later logicians in the Avicennan tradition, it did not include the works of Avicenna himself. In this instance, al-Āmidī took up a certain logical argument proposed by a predecessor, al-Kātibī. In doing this al-Āmidī ascribed the argument to Avicenna, but as it turns out, utterly incorrectly. In other words, the Avicennan tradition had become so caught up in its own manuals and commentaries that it neglected and/or misunderstood the works of the master himself. As often happens, however, the misreading proved creative, because al-Āmidī's argument actually stood firmly and consistently on its own two legs. In this way, an innovative and coherent logical system came into existence, despite its false attribution to Avicenna. A similar process must have taken place in other areas of inquiry and historical contexts. Asad Q. Ahmed sets out the logical arguments and makes them comprehensible both to logicians and to non-logicians, a remarkable feat for a scholar whose dissertation, prepared under the guidance of Michael Cook, was on an entirely different subject, the history of Arabia in the early Islamic period.

These collected essays provide testimony to Professor Cook's accomplishments in a number of ways, including their sheer diversity, their

critical acumen, their posing relevant and interesting questions, and their enthusiasm for their subject-matter. The authors of the essays do not constitute anything like a school, and it is unlikely that Professor Cook would have wanted them to. After all, he has always been a champion of individual effort, of scholars finding their own way by encountering their own problems and sources, and by expressing themselves in their own voices. But at the same time, the authors of these essays, together with other students of Michael Cook from over the years, will all agree that their work with him has been decisive in their development and growth, in their learning to distinguish a strong argument from a lame one, in their enthusiasm for hard effort and immersion in their material, and in their appreciation of the complexities and ironies, as well as the unexpected pleasures, that confront them at every step of the way. In other words, these authors have found their own voices in large part through their encounter with this extraordinary scholar and teacher.

I. STUDIES IN EARLY ISLAMIC HISTORY

“TIME HAS COME FULL CIRCLE”:
MARKETS, FAIRS AND THE CALENDAR IN
ARABIA BEFORE ISLAM

Michael Bonner

In this contribution I wish to take a fresh look at an old set of questions. On the eve of Islam, a certain calendar was in use throughout much of the Arabian peninsula. Then, when Islam arrived, this calendar was both condemned and reformed. The result was an Islamic calendar that retained certain elements of the old Arabian one, including the names of the months. But other characteristics of the earlier calendar have remained obscure. How, if at all, did the Arabs accommodate their lunar months to the seasonal patterns of the solar year? Did their festivals and pilgrimages occur in particular seasons? Did the Arabs—as some scholars have claimed—make a mess of their calculations of the passage of time? And what, if anything, can we say about old Arabian conceptions of time which, with the rise of Islam, became rejected or transformed?

There has been disagreement around these questions ever since early Islamic times. Here I wish to concentrate on a piece of textual evidence that deserves more attention than it has received until now. This is a narrative tradition on “the markets of the Arabs before Islam” which provides, among other things, interesting information about time and the calendar. In the end, this evidence will confirm the findings of those scholars, medieval and modern, who have argued that the old Arabian calendar was indeed fixed according to the solar seasons, that it made use of intercalation, and that it resembled the Jewish calendar in that it began each year in early autumn. Furthermore, this calendar probably did not govern the lives of most Arabs on a day-to-day basis. It did, however, enable the movement of people and goods within an annual sequence of markets and festivals throughout the peninsula. The culminating point of this sequence was the fair of ‘Ukāz which took place each summer, a few days’ journey away from Mecca. This was an eagerly-anticipated event where people transacted all manner of business including the acquisition of alliances and prestige, and the fomenting of wars. Accordingly, at the end of this essay I will ask if

‘Ukāz was in any sense a rival to Mecca, before and even after the arrival of Islam. And here in turn, I may find the beginning of an explanation for why the Qur’ān and early Islam rejected the intercalating Arabian calendar in favor of the lunar calendar of Islam.

The Arabian and Islamic Calendars

It is best to begin with some well-known matters. The time that the moon takes to complete twelve turns around the earth amounts to almost eleven days less than the time that the earth requires to perform a single revolution around the sun. In other words, a purely lunar year—twelve months reckoned solely by the waxing and waning of the moon—is nearly eleven days shorter than a purely solar year. The Islamic calendar is, of course, rigorously “lunar,” and accounts for these natural phenomena by prescribing a year of twelve lunar months which have, alternately, 29 or 30 days. The total number of days in this year is either 354 or 355.¹ Accordingly, in each solar year, the Islamic calendar year recedes, on average, by slightly less than eleven days, and passes through all the solar seasons over a period of 32½ years.² A recurring event such as the fast in Ramaḍān, the ninth month, or the pilgrimage in Dhū l-Ḥijja, the twelfth month, can therefore take place in any season of the (solar) year.

We have already mentioned that the Islamic calendar had its origins in Arabia before Islam, and that the characteristics of that old calendar are not all clear to us.³ Other calendars were known in the region, but this one (which here we will call the Arabian calendar) seems to have prevailed at least in central Arabia just before Islam.⁴ However,

¹ A normal year has 354 days, but a *kabisa* year, which occurs 11 times within a 27-year cycle, has 355.

² Freeman-Grenville, *The Islamic and Christian Calendars*, 3–5.

³ Literary sources for the old Arabian calendar include Ibn Hishām, *Sīra*, 29–31, 923–24; al-Mas‘ūdī, *Murūj al-dhahab*, 2:346–53, § 1302–18; Ibid., *Tanbih*, 202–10; Abū Rayhān al-Bīrūnī, *al-Āthār al-bāqiya ‘an al-qurūn al-khāliya* (ed. Sachau), 60–63; tr. Sachau, *The Chronology of Ancient Nations*, 70–74; and other sources to be discussed below. For a general introduction, see F.C. de Blois, “Ta’rikh. I. Dates and Eras in the Islamic World,” EI² 10:257–64, esp. 258–60; A. Moberg, “Nasī’,” EI² 7:977; R.G. Morrison, “Year,” EQ 5:560–61. Older treatments include Wellhausen, *Reste arabischen Heidentums*, 94–101; Moberg, *An-Nasī’ (Koran 9,37) in der islamischen Tradition*; and Nallino, “Storia dell’astronomia presso gli arabi nel medio evo,” esp. 152–96.

⁴ Mas‘ūdī, *Tanbih*, 202–10; Wellhausen, *Reste arabischen Heidentums*, 94–95; Beeston, *Epigraphic South Arabian Calendars and Dating*.

we have no documentary, epigraphical or archaeological evidence for it. Accordingly, our information comes from Islamic literary sources, foremost among which is Qurʾān 9:36–37 (*al-Tawba*):

[36] The number of months in [the sight of] God is twelve, so prescribed by God (*fī kitāb Allāh*) on the day in which He created the heavens and the earth. Four of these [months] are sacred. This is the rightful religion (*al-dīn al-qayyim*). Do not oppress yourselves regarding [these months]; fight the Unbelievers altogether, as they fight you altogether. And know that God is with the God-fearing. [37] Indeed the *nasīʾ* is an increase of unbelief, by which the Unbelievers are led [even further] astray: in one year they make it lawful (profane) and in another year they make it forbidden (sacred), in order that they may arrive at [a number of months] equal to that which God has forbidden (*li-yūtiʾū mā ḥarrama llāhu*), and in order to make lawful that which God has forbidden. The evil of their deeds seems lovely to them, but God does not guide the Unbelievers.

A number of interesting matters arise from this passage, but we only have time for two. The first is elementary, but worth recalling: the twelve months of the Islamic year are al-Muḥarram (or First Ṣafar, Ṣafar I),⁵ Ṣafar (or Ṣafar II), Rabīʿ I and II, Jumādā I and II, Rajab, Shaʿbān, Ramaḍān, Shawwāl, Dhū l-Qaʿda, and Dhū l-Hijja. Among these, the four sacred months are Muḥarram, Rajab, Dhū l-Qaʿda, and Dhū l-Hijja.

The second point regards *nasīʾ*, in 9:37. Here we cannot summarize the many meanings that have been attributed to this word,⁶ but we can note that there was some difference between what scholars in the Islamic scientific tradition (especially the astronomers) thought about this matter, and what scholars active in Qurʾānic exegesis, *ḥadīth*, historical narrative, and related disciplines had to say about it. We begin with this second group.

Most of the explanations of the Qurʾānic *nasīʾ* that circulated among exegetes, historians, and religious scholars over the centuries can be found in a series of exegetical traditions compiled by al-Ṭabarī (d. 310/923).⁷ These traditions are rather difficult to understand and to reconcile with one another. All of them share, however, an understanding that there was, in Arabia before Islam, a natural or (as the

⁵ So it was apparently called in pre-Islamic Arabia, see Wellhausen, *Reste*, 95, n. 2; Moberg, *Al-Nasīʾ*, 13; Nallino, “Storia,” 168.

⁶ See n. 3, above.

⁷ Ṭabarī, *Jāmiʿ*, 14:243–251, discussed in detail by Moberg, *An-Nasīʾ*, 5–30.

Qur'ān expresses it) divinely-prescribed sequence of the twelve months. These traditions also share an understanding that four of those twelve months had a sacred, forbidden character. They further share the idea that *nasī'*, in all its various meanings and interpretations, involved a tampering with the sequence, most often by some kind of "postponing." Whatever this activity may have been, the Arabs engaged in it for one of two reasons. The first was their love of raiding (*ghazw*) and thirst for revenge.⁸ Since fighting was forbidden during the sacred months, they would sometimes postpone Muḥarram/Šafar I until the following year. In other words, they would make this sacred month into a profane month in which fighting was allowed, and they would compensate by observing a sacred month in the following year.⁹ The second reason—difficult to reconcile with the first—has to do with the pilgrimage which took place every year in Dhū l-Ḥijja. At that time, a man who held authority in the matter, a member of the tribe of Kināna and a descendant of someone known as al-Qalammas (who had been the first to perform this function), would rise and declare that the following month, Muḥarram/Šafar I, would be observed as sacred; or else that the month after that, Šafar/Šafar II, would be observed as sacred. Different versions of this procedure are described.¹⁰

These exegetical and narrative traditions on the calendar tend not to discuss the relation between the months of the Arabian calendar and the seasons of the solar year. When they speak of "postponing," they do not mean that the sequence of months was rearranged, so that they appeared in the wrong order. They also do not say that the postponing of a month caused it to occur, say, in spring instead of winter. Rather, what they mean is that the postponing altered the sacred or profane character of a month or months,¹¹ or that it affected a sacred activity—the pilgrimage—that took place in one of these months. One tradition in particular says that the pilgrimage used to migrate through the months: at first it would be performed in its normal month of Dhū

⁸ Ṭabarī, *Jāmi'*, 14:249, no. 16716.

⁹ It seems hard to believe that they would have added a fifth sacred month to the following year: see Moberg, *An-Nasī'*, 17–18, and Paret's translation of the verse (*Der Koran*, 135).

¹⁰ Ṭabarī, *Jāmi'*, 14:245–250, nos. 16706–16716. Al-Qalammas and his descendants are themselves sometimes described as *al-nasī'*. The similarity to Hebrew *nasī'*, "prince," "notable," has often been noted.

¹¹ Moberg, *An-Nasī'*, 31–33; Nallino, "Storia," 154–55.

l-Ḥijja, but then (for reasons that are not spelled out here) it would be put off until the following month of Muḥarram/Šafar I; then, after an interval (usually of two years), it would be put off again until Šafar/Šafar II; and so on, through each of the months in turn.¹² Again, the order of the months remains the same, and their relation to the seasons seems not to matter. Another exegetical tradition in Ṭabarī presents an even more complicated version of this story:

Al-Ḥasan b. Yaḥyā—‘Abd al-Razzāq—Ma‘mar—Ibn Abī Najīḥ—Mujāhid. [Regarding Qur‘ān 9:37,] God imposed the pilgrimage as a religious duty in Dhū l-Ḥijja.... The Unbelievers used to name the months Dhū l-Ḥijja, al-Muḥarram, Šafar, Rabī‘, Rabī‘, Jumādā, Jumādā, Rajab, Sha‘bān, Ramaḍān, Shawwāl, Dhū l-Qa‘da, and Dhū l-Ḥijja, in which they would, on occasion, perform the pilgrimage.¹³ Whenever they did this, they would silence (*yaskutūna*) al-Muḥarram and not mention it. However they continued to call Šafar Šafar. Then they called Rajab Jumādā II. Then they called Sha‘bān Rajab.¹⁴ Then they called Dhū l-Qa‘da Shawwāl. Then they called Dhū l-Ḥijja Dhū l-Qa‘da. Then they called al-Muḥarram Dhū l-Ḥijja and they performed the pilgrimage in it, since its name [for them was now] Dhū l-Ḥijja. Then they went through this entire story (*qiṣṣa*) all over again. In this way they performed the pilgrimage in each month [in turn], over a period of two years [for each month], until the pilgrimage of Abū Bakr took place in the second of the two years in [which the pilgrimage was observed in] Dhū l-Qa‘da. Then the Prophet performed his pilgrimage [in 10/632], when it fell in Dhū l-Ḥijja. This is when the Prophet said in his sermon: “Time has come full circle (*qad istadāra l-zamān*) to where it was when God created the heavens and the earth.”¹⁵

This speech made by the Prophet during his Farewell Pilgrimage is reported in many sources, with further declarations such as “The number of months with God is twelve; four of them are sacred, three consecutive, and the Rajab of Muḍar, which is between Jumādā and Sha‘bān”; and “Henceforth no month will be intercalated, and no

¹² Ṭabarī, *Jāmi‘*, 14:248–49, no. 16714; al-Azraqī, *Akhbār Makka*, 1:182–84.

¹³ Dhū l-Ḥijja here seems to constitute a thirteenth month “in which they would, on occasion, perform the pilgrimage” (*yaḥujjūna fihi marratan*), though this is not how Moberg translated the passage (*An-Nasī‘*, 7).

¹⁴ Here the text says “Ramaḍān,” but it must be a mistake for Rajab. See Moberg, *An-Nasī‘*, 20–21.

¹⁵ Ṭabarī, *Jāmi‘*, 14:248, no. 16713; cf. the following, 14:248–49, no. 16714 (above, n. 13), with similar *isnād*.

calculation will be mistaken. The pilgrimage will remain in Dhū l-Hijja, until the day of resurrection.”¹⁶

A close analysis of this tradition¹⁷ shows that according to this representation of the matter, the Arabs used to add a nameless (“silenced”) month¹⁸ after their pilgrimage, which amounted to a thirteenth month of the year.¹⁹ Then they would push back all the months of the year, substituting the fourth month for the third, the fifth for the fourth, and so on. They would repeat this procedure at intervals of two years. All the while, they remained aware of the natural (or divinely-prescribed) cycle of the months. That is, even when “they called Dhū l-Qa‘da Shawwāl,” they knew that it was really Dhū l-Qa‘da. Of course this is only one representation among several of what happened, and it cannot be accepted without question as the truth of the matter. However, this tradition, together with others like it, can lead us to conclude that what was going on here was the intercalation of an extra month into the year. For some reason, however, the exegetes and historians tend either to deemphasize this possibility or to sidestep it.²⁰

Medieval Muslim astronomers were more open than their colleagues the exegetes, traditionists, and historians to the idea that the pre-Islamic Arabs might have adjusted their lunar calendar to the solar year, through intercalation. Some of the astronomers also found reason to believe that the Arabs began doing this around two centuries before the coming of Islam. In addition, they knew that the Arabs also

¹⁶ Ibn Hishām, *Sira*, 923–24; Wāqidī, *Maghāzi*, 3:1112; Ṭabarī, *Ta’rīkh*, 1:1754, trans. Poonawala, 112–113; Azraqī, *Akhbār Makka*, 1:185; Ibn Ḥanbal, *Musnad*, 5:37, 73; further ḥadīth references at Wensinck, *Concordance*, 2:158.

¹⁷ As was offered by Moberg, *An-Nasi’*, 19–24.

¹⁸ The “silenced” month may have been called *al-nasi’*. See Ṭabarī, *Jāmi’*, 14:246, no. 16707, going back to Ibn ‘Abbās, and 14:247, no. 16711, going back to al-Ḍahhāk: both traditions identify *al-nasi’* as the “postponed” al-Muḥarram.” This fits with the beginning of Qur’ān 9:37, where the Unbelievers make *al-nasi’* into something that is either sacred or profane.

¹⁹ Or following the tradition more literally, they added an extra month at the end of the previous year and then “silenced” the first month of the new year. A thirteen-month year also appears in Ṭabarī, *Jāmi’*, 14:249, no. 16715 (Ibn Wakī—Imrān b. ‘Uyayna—Ḥuṣayn—Abū Mālīk). Wellhausen, *Reste*, 100, argued (on the basis of other evidence) that the pilgrimage originally took place in the first month, Muḥarram/Ṣafar I, and not the last, Dhū l-Hijja; see also Nallino, “Storia,” 169.

²⁰ An exception is Fakhr al-Dīn al-Rāzī, who in his *Tafsīr* (4:446–47) says that the Arabs used to intercalate months into their year. Rāzī tries to reconcile this with the migrating of the pilgrimage across the year, above, nn. 12, 15. The argument is highly interesting, but difficult to follow. Nallino, “Storia,” 155–56; Moberg, *An-Nasi’*, 44–45.

marked time by the *anwā'*, astral configurations at sunrise and sunset which they used to calculate the "lunar mansions" (*manāzil*).²¹

We have seen that according to some exegetical traditions, the Arabs performed an operation which consisted of intercalating a month once every two years, over a period of twenty-four years.²² The astronomer and astrologer Abū Ma'shar al-Balkhī (d. 272/886) reports a similar tradition, together with other traditions which claim that the Arabs used to follow Jewish practice by intercalating seven months over nineteen years, or else that they intercalated nine months over twenty-four years.²³ It is impossible to say which, if any, of these assertions is correct, because of the lack of documentary, epigraphical, and archaeological evidence. Not surprisingly, there is no consensus among modern scholars on this matter.

Much the same can be said of the oft-repeated accusation that the intercalators (the Qalāmis, descendants of al-Qalammas) botched their job, so that the months lost their moorings in the solar seasons: here too, the evidence is sparse and difficult to interpret.²⁴ Likewise, there is no consensus among modern scholars as to what seasons the Arabian months were originally tied to, if they were tied to the seasons at all.²⁵ Here, however, out of the various, conflicting traditions within the medieval sources, we can identify at least one assertion that the old Arabian calendar was indeed tied to the seasons. We find this in no less an authority than Abū Rayḥān al-Bīrūnī (d. ca. 442/1050).

²¹ Nallino, "Storia," 171–197; Ch. Pellat, "Anwā'," EI² 1:523–24.

²² Above, nn. 12, 15; al-Azraqī, *Akḥbār Makka*, 1:182–84.

²³ The source for this statement is Abū Ma'shar's *Kitāb al-ulūf fi buyūt al-'ibādāt*. This work is lost, but the relevant passage is quoted in *Muntahā l-idrāk fi taqāsīm al-aflāk* by Bahā' al-Dīn Abū Muḥammad 'Abd al-Jabbār al-Kharaqī al-Thābitī (d. 527/1132 or 533/1138), and reproduced from a Paris manuscript by Mahmoud Effendi (later known as al-Falakī) in his "Mémoire sur le calendrier arabe avant l'islamisme," 168–78. See also Nallino, "Storia," 5:156–58; Pingree, *The Thousands of Abū Ma'shar*, 131–32; Sezgin, GAS 6:156–57, 7:143; idem, 6:151, n. 1 (on the *Muntahā*).

²⁴ In medieval scholarship, we can trace this idea back to Abū Ma'shar, who says that the Qalāmis calculated the difference between the lunar and solar cycles as 10 days plus 20 hours, whereas the correct solution to the problem would have been 10 days plus 21^{1/5} hours. As a result, says Abū Ma'shar, their calculations went out of kilter. Nallino is surely right when he says ("Storia," 155–56) that this level of astronomical knowledge was unattainable in central Arabia at the time. The Qalāmis performed a simple operation, consisting of adding or omitting entire lunar months; there is never any indication here of an "artificial" month, containing any more or less than its "natural" allocation of time. See also Wellhausen, *Reste*, 96.

²⁵ De Blois, "Ta'rikh," EI², 10:260, calls this a "vexing question," and notes the lack of epigraphical evidence.

At the time of paganism the Arabs used their months in a similar way to the Muslims; their pilgrimage went wandering round through the four seasons of the year. But then they desired to perform the pilgrimage at such time as their merchandise (hides, skins, fruit, etc.) was ready for the market, and to fix it according to an invariable rule.... Therefore they learned the system of intercalation from the Jews of their neighbourhood, about 200 years before the Hijra. And they used intercalation in a similar way to the Jews, adding the difference between their year and the solar year, when it had summed up to one complete month, to the months of their year. Then their intercalators themselves, the so-called *qalāmis* of the tribe Kināna, rose, after the pilgrimage had been finished, delivered a speech to the people at the fair, and intercalated the month....²⁶

Bīrūnī also says that the Arabian year began, like the Jewish one, in autumn,²⁷ usually in what for us would be mid-to-late September. Bīrūnī does not cite his authority here, but he seems to be relying on Abū Ma'shar al-Balkhī, who says much the same thing, while also relating differing views of the matter.²⁸

There is still no general agreement on how the Arabian calendar related to the seasons, or if it related to them at all. But for now, we may conclude tentatively that the Arabs did practice intercalation, adding a thirteenth month to their year once every two or three years, and that the Qur'ānic *nasī'* is related to this practice in some way. These questions remain difficult, in part because of the reluctance of the medieval exegetes and historians to engage the question in such terms. For in those scholars' eyes, the introduction of the Islamic calendar did not mark a rupture with the natural, seasonal patterns of the solar year, but rather a restoration of the divinely-prescribed order of the world.

²⁶ Bīrūnī, *Āthār*, 62, trans. Sachau, 73.

²⁷ Bīrūnī, *Āthār*, 60, trans. 70–71. The name of the third and fourth months of the Arabian and Islamic calendar, *Rabī'* (I and II), literally means "spring," but Bīrūnī explains away the difficulty: "The two months *Rabī'* were called so on account of the coming forth of the flowers and blossoms and of the continual fall of dew and rain. All of which refers to the nature of that season which we call 'autumn,' but which the Arabs called 'spring' (*Rabī'*).” In fact, this placement of the Arabian months (with the year beginning in late September) works nicely for *Jumādā* (I and II), a name which indicates "freezing" and would correspond here to mid-January through mid-March. See further at Wellhausen, *Reste*, 97, n. 3; Nallino, "Storia," 167, n. 2.

²⁸ Abū Ma'shar, in Effendi, "Mémoire sur le calendrier arabe," 168–78.

The “Markets of the Arabs”

Now we turn to the narrative tradition on “the markets of the Arabs before Islam.” This tradition refers to itself as the *ḥadīth al-aswāq*, “the discourse of the markets,” which is what we will call it here. The tradition exists in several versions, of which the earliest and most complete are in books by Ibn Ḥabīb (d. 245/860), al-Ya‘qūbī (d. around 900 CE), and al-Marzūqī (d. 421/1030).²⁹ It describes a sequence of markets held every year, moving in a clockwise spiral throughout the Arabian peninsula (see the map at the end of this article).

Modern scholars have considered this narrative tradition as one among many pieces of literary evidence for (or against) the growing commercial and political strength of Mecca and its dominant clan, the Quraysh, during the decades or centuries before Islam.³⁰ However, while the Quraysh appear several times in the *ḥadīth al-aswāq*, they are actually not its primary concern. Mecca appears there only once.³¹ It is also worth pointing out that one of the tradition’s primary concerns is time and the calendar. After all, the longest version of the tradition that we have occurs in a book by al-Marzūqī called, fittingly, *The Book of Times and Places*.

Dūmat al-Jandal. The first market in the sequence took place at this site in north central Arabia, at the head of the Wādī Sirḥān.³² It took up all of Rabī‘ I, the third month of the year. The Arabs came there “from all directions” and stayed for varying amounts of time, after which “they went their various ways to other markets like it.” Dūma had several characteristics that set it apart from the other markets in the sequence. One of these was its disputed political sovereignty, as

²⁹ Ibn Ḥabīb, *al-Muḥabbar*, 263–68; al-Ya‘qūbī, *Ta’rikh*, 1:270–71; al-Marzūqī, *Kitāb al-azmina wa-l-amkina*, 2:161–70. See also Abū Ḥayyān al-Tawḥīdī, *Kitāb al-imtā’ wa-l-mu’ānasa*, 1:75–94; al-Baghdādī, *Khizānat al-adab*, 4:431–32; al-Qalqashandī, *Ṣubḥ al-a’shā*, 1:410–11. I also discuss this tradition in “The Arabian Silent Trade: Profit and Nobility in the ‘Markets of the Arabs,’” and “The Tradition on the ‘Markets of the Arabs.’”

³⁰ This is true of Sa‘īd al-Afghānī’s book on the markets, *Aswāq al-‘Arab fi l-jāhiliyya wa-l-Islām*. See also Róbert Simon, *Meccan Trade*; and M.J. Kister, “Mecca and Tamim.” Patricia Crone, in *Meccan Trade and the Rise of Islam*, uses the *ḥadīth al-aswāq* to disprove some common assumptions regarding Mecca and Quraysh.

³¹ Marzūqī, *Azmina*, 2:167, top line.

³² This is the modern al-Jawf. Bakrī, *Mu‘jam mā sta‘jam*, 2:182; Yāqūt, *Mu‘jam al-buldān*, 2:487–89; Afghānī, *Aswāq*, 232–39; L. Veccia Vaglieri, “Dūmat al-Djandal,” *EI*² 2:624–26.

Arab clients of the Byzantine and Sasanian empires made claim to it and worked out their rivalry in rather bizarre ways.³³ Another was Dūma's specialization in slavery and prostitution. We are told that "most of the Arabs there were slaves" (*qinn*) and that people there "used to force their slave girls into prostitution."³⁴ The Kalb, one of the dominant tribal groups in the area, "practiced slavery more than any of the Arabs."

al-Mushaqqar. The next market in the sequence took place at al-Mushaqqar in the region of Hajar, not far from the coast of the Gulf.³⁵ This market lasted throughout Jumādā II, the sixth month of the year. In the *ḥadīth al-aswāq*, it falls under the dominion or protectorate of the Sasanian Persians, who appoint "governors" from a local dynasty, the Banū 'Abdallāh b. Zayd of the clan of al-Mundhir b. Sāwī, of Tamīm. These rulers, like those of Dūma, have free rein in the market, taking customs dues (*mukūs*) or tithes (*'ushūr*) for themselves. Caravans brought aromatics from South Arabia, while "the Persians arrived there, crossing the sea with their merchandise." Mushaqqar is described as "such a lovely land that no one who saw it could stay away," so that it "acquired [population] from every clan of the Arabs and even from non-Arabs."

Ṣuḥār and Dabā were the next stops, on the coast of 'Umān below the Straits of Hurmuz.³⁶ The *ḥadīth al-aswāq* describes both places as governed by al-Julandā, another Arab dynastic ruler appointed or confirmed by the Sasanians.³⁷ Like the rulers of Dūma and al-Mushaqqar, Julandā took tithes or customs dues from the markets. The markets of Ṣuḥār and Dabā between them took up all of Rajab, the seventh month.³⁸ At Dabā, we have the first appearance of "the merchants of India and Sind...also of China and the people of the East."

³³ Apparently including riddle contests or a kind of hide-and-seek: Ibn Ḥabīb, *Muḥabbar*, 263–64, and Marzūqī, *Azmina*, 2:161.

³⁴ *Kānū yukrihūna fatayātihim 'alā l-bighā'*, echoing Qur'ān 24: 33. Cf. Afghānī, *Aswāq*, 236–37.

³⁵ Bakrī, *Mu'jam*, 4:97; Yāqūt, *Mu'jam*, 5:134–35, citing Ibn al-Faqīh; Afghānī, *Aswāq*, 197–99, 240–51; C.E. Bosworth, "al-Mushaqqar," *EI*² 7:671. The precise location of al-Mushaqqar is unknown.

³⁶ Muqaddasī, *Aḥsan al-taqāsīm*, 70–71, 92–93; Yāqūt, *Mu'jam al-buldān*, 2:435 (Dabā), 3:394 (Ṣuḥār); Afghānī, *Aswāq*, 261–65.

³⁷ On this dynasty, see J.C. Wilkinson, "The Julandā of Oman."

³⁸ The sacred character of Rajab (see Kister, "Rajab Is the Month of God") finds no echo in the *ḥadīth al-aswāq*. Afghānī, *Aswāq*, 254, says that the occurrence of these markets in the sacred month meant that travelers could arrive there without

al-Shiḥr. This market on the coast of Ḥaḍramawt³⁹ took up half of Sha'bān, the eighth month. Since the direct route across the Empty Quarter was impossible, the only way to arrive there was the round-about route by sea. However, the tradition says nothing about how people performed this voyage from 'Uman to Ḥaḍramawt.⁴⁰ Since al-Shiḥr was not under the control of any king or organized polity (*arḍ mumlaka*), visitors had to "seek the protection" of the Banū Yathrib, a fraction (*taqallul*) of the dominant clan, the Banū Mahra.

'Adan (Aden) and Ṣan'ā'. The port of Adan, described by the fourth/tenth-century geographer al-Hamdānī as "foremost of the markets of the Arabs,"⁴¹ receives lots of attention. A large party travels there from al-Shiḥr, including "merchants of the sea." Unlike al-Shiḥr, Aden was "territory subjected to rule and a secure jurisdiction" (*arḍ mumlaka wa-amr muḥkam*): it was formerly ruled by the kings of Ḥimyar, and more recently by the *abnā'*, the Arabized Persians who ruled Yemen after them. These rulers are praised for their comportment, especially for abstaining from direct participation in the market. Commodities at the market included perfumes which were then transported overland to Persia and Byzantium. The market of Aden took up the first ten days of Ramaḍān (the ninth month). Then came the market at Ṣan'ā', the major trading and cultural center of central Yemen.⁴² This market took up the last half of Ramaḍān. Many products were exchanged there, including cotton and other fabrics, saffron, dyestuffs, and iron. Political control there was held, as at Aden, by the Abnā'.⁴³

Rābiya. This is the most obscure of all the "markets of the Arabs," now impossible to locate,⁴⁴ but somewhere in the mountains of Ḥaḍramawt. As at al-Shiḥr, people who went there had to seek the

"protection," *khifāra*. However, since coastal 'Umān was already *arḍ mumlaka wa-amr muḥkam*, "territory under sovereignty or jurisdiction," such protection would presumably not have been necessary.

³⁹ Yāqūt, *Mu'jam al-buldān*, 3:327, from al-Aṣma'ī; Hamdānī, *Ṣifat Jazīrat al-'Arab*, 213; Afghānī, *Aswāq*, 266–67.

⁴⁰ This is true in general of geographical writing about Arabia. We have detailed itineraries in ninth- and tenth-century writers for northern and western Arabian routes, but none for southeastern Arabia.

⁴¹ Hamdānī, *Ṣifat Jazīrat al-'Arab*, 53, *wa-hiya aqdam aswāq al-'Arab*. See also Yāqūt, *Mu'jam al-buldān*, 4:89–90; Afghānī, *Aswāq*, 268–70.

⁴² Bakrī, *Mu'jam mā sta'jam*, 3:118–19; Yāqūt, *Mu'jam al-buldān*, 3:425–31; Afghānī, *Aswāq*, 271–74.

⁴³ Ya'qūbī, *Ta'rikh*, 1:270.

⁴⁴ Rābiya is not mentioned in any geographical work of which I am aware. Afghānī, *Aswāq*, 275–76, says it was a "local market," but cites no evidence.

protection of a local clan, the Āl Masrūq b. Wā'il al-Haḍramī. We are told that the market of Rābiya coincided with that of 'Ukāz, with both of them taking place midway through Dhū l-Qa'da, which is odd since the sequence of the markets is otherwise consecutive.

'Ukāz. 'Ukāz receives more attention than any other market in the sequence. For the early Islamic period, several places called 'Ukāz are attested, mostly to the east and south of Mecca.⁴⁵ Regarding the pre-Islamic site, however, the medieval sources are far from unanimous.⁴⁶ Pre-Islamic 'Ukāz had no fixed location and may have changed place from year to year. According to the *ḥadīth al-aswāq*, 'Ukāz lay beyond anyone's political control and imposed "neither tithes nor protection,"⁴⁷ that is, it had no greedy "kings" and no extorting tribesmen. Responsibility for admission to the fair was allotted to clans (*afkhādh*) of a particular tribal group, the Tamīm. 'Ukāz in the *ḥadīth al-aswāq* and other sources has a utopian character, as the site of a pan-Arab peace where the practices of generosity and competition have free rein (see below).

Majanna, Dhū l-Majāz. These two sites, just to the west of 'Ukāz, were similar in character to it. They also provided a link to the pilgrimage, which began nearby at 'Arafa. However, it is difficult to work out the precise order of these markets. In the *ḥadīth al-aswāq*, Dhū l-Majāz comes after 'Ukāz, during the first eight days of Dhū l-Ḥijja; Majanna is not assigned to any particular time (Marzūqī), or does not appear at all (Ibn Ḥabīb). Elsewhere, the philologist al-Aṣma'ī (d. 213/813) provides further details: 'Ukāz was followed, in the last ten days of Dhū l-Qa'da, by Majanna, a site which lay in the depression of Marr al-Zahrān, a day's journey from Mecca.⁴⁸ Aṣma'ī then says that Majanna was followed by Dhū l-Majāz, on the plain of 'Arafa. This fair of Dhū l-Majāz took up the first eight days of Dhū l-Ḥijja, and then, on the "day of watering" (*yawm al-tarwiya*) it was followed immediately by the pilgrimage.⁴⁹ Despite these diverging details, we can see that 'Ukāz, Majanna and Dhū l-Majāz amounted to a single, long fair.

⁴⁵ al-Muaiḳel, "Sūq 'Ukāz in al-Ṭā'if: Archaeological Survey of an Islamic Site," *al-Uṣūr al-Wustā* 7.1 (1995): 1–7.

⁴⁶ Ya'qūbī, *Buldān*, 316–17; Bakrī, *Mu'jam mā sta'jam*, 3:218–21; Yāqūt, *Mu'jam al-buldān*, 4:142. On the fair of 'Ukāz more generally, see Wellhausen, *Reste*, 88–91; Afghānī, *Aswāq*, 277–343.

⁴⁷ Marzūqī, *Azmina*, 2:165.

⁴⁸ Yāqūt, *Mu'jam al-buldān*, 5:58–59.

⁴⁹ Yāqūt, *Mu'jam al-buldān*, 5:55.

The *ḥadīth al-aswāq* does not consider Minā, ‘Arafa and Mecca as part of its yearly sequence of “markets of the Arabs,” although some other medieval sources do so.⁵⁰

Conclusion of the sequence. The different versions disagree on this. The most plausible version is that of Ibn Ḥabīb, who concludes with sites in central Arabia, namely Nuṭāt Khaybar in the Ḥijāz,⁵¹ and Ḥajr, the chief town of al-Yamāma.⁵² The “markets of the Arabs” thus come to an end in the very center of Arabia.⁵³

The internal evidence of this tradition on the markets shows that it describes Arabia in the first decade of the seventh century CE.⁵⁴ Regarding its transmission history, it purportedly originated among the Tamīm of northeastern Arabia, and was then transmitted from a man named Khirāsh to Muḥammad al-Kalbī, who passed it on to his son, the famous scholar of Arabian antiquities, Hishām b. Muḥammad al-Kalbī. Afterward the transmission diverged into a “western” transmission, extant in the work of the Baghdad scholar Ibn Ḥabīb; and an “eastern” or “Gulf” version, passed on by Ibn Durayd and recorded for us in the work of al-Marzūqī.⁵⁵ But what makes this narrative tradition so special? Is it really more reliable than the other information that we have on this topic? After all, several other major Arabian markets of the time, such as al-Ḥīra and Yathrib, do not occur in this sequence

⁵⁰ In particular Hamdānī, *Ṣifat Jazīrat al-‘Arab*, 180; see below, n. 89.

⁵¹ Yāqūt, *Mu‘jam al-buldān*, 5:291, has difficulty identifying this place, saying that Nuṭāt refers to a fortification (*ḥisn*) in Khaybar, or alternatively, to a spring which watered palm groves and villages there.

⁵² Hamdānī, *Ṣifat Jazīrat al-‘Arab*, 139, 153–54, 180; G.R. Smith, art. “al-Yamāma, EI² 11:269. Ḥajr al-Yamāma should not be confused with Hajar (the region where al-Mushaqqar was located) or with al-Hijr (Madā’in Ṣāliḥ), in northwestern Arabia.

⁵³ Marzūqī, *Azmina*, citing Ibn al-Kalbī, describes the sequence as coming to a close in Syria, in Buṣrā and Adhri‘āt. This information dates from the Umayyad and early ‘Abbasid era, and not from the time described in most of the *ḥadīth al-aswāq* (ca. 600–610). See Bonner, “The Tradition on the Markets of the Arabs Before Islam.”

⁵⁴ This applies to the political situation, with the Sasanians exerting influence over the Gulf area through client kings. At Marzūqī, *Azmina*, 2:168, an event at ‘Ukāz is ascribed to Year 35 of the Elephant, which would correspond to 605 CE. On reckoning by the Elephant, see Azraqī, *Akhbār Makka*, 1:154; Ṭabari, *Ta’rikh*, 1:1253–55; and Maṣ‘ūdī, *Tanbih*, 202–14, going forward into the Islamic period. See also Simon, *Meccan Trade*, 23, 126, n. 26.

⁵⁵ I discuss this in “The Tradition on the Markets of the Arabs Before Islam.”

of “markets of the Arabs” at all.⁵⁶ Several of these omitted markets, moreover, are said to have been annual, seasonal fairs.⁵⁷

Of course we cannot claim that the *ḥadīth al-aswāq* is accurate and that all our other information is flat wrong. Nonetheless, it stands out for several reasons. These include its being considered a tribal tradition going back to the Tamīm, who have a major role throughout the narrative. It also stands out because of its unusual length and its thematic consistency. These matters will be discussed elsewhere,⁵⁸ but now we must return to the Arabian calendar.

The Arabian Calendar and the Ḥadīth al-Aswāq

The tradition on the markets shows considerable precision in its internal chronology. We may begin by asking whether the dates and months that it cites are meant to correspond to seasons of the solar year. At first glance, it seems difficult to imagine that a long, annual series of markets would not be tied to the seasons. However, the tradition gives us no direct help on this point: it never says, for instance, that such and such a market took place in summer or autumn.

Here we may recall what Abū Maʿshar and al-Birūnī said about the old Arabian calendar: that it was tied to the seasons of the solar year, and began each year in early autumn. Again, this is only one among several competing assertions, none of which can be proved definitively. However, if we take this assertion as a working hypothesis, we may test it against the evidence of the tradition on the markets. And what emerges is an admirably close fit. In other words, the sequence of markets in the *ḥadīth al-aswāq* makes ample sense if the pre-Islamic Arabian calendar year begins each year in mid-to-late September.

The first market in the sequence, Dūmat al-Jandal, occurs in Rabīʿ I, the third month of the year, which according to this hypothesis would begin in mid-to-late November. Then comes a gap of three months, corresponding to the winter season, when travel is difficult. The cycle resumes at al-Mushaqqar in the sixth month, Jumādā II, beginning in

⁵⁶ Hamdānī, *Ṣifa*, 179–80, identifies over fifty “markets of the Arabs before Islam.”

⁵⁷ These included Badr, see Azraqī, *Akhbār Makka*, 1:191–92, and below, n. 89; Sūq Ḥubāsha, see Afghānī, *Aswāq*, 258–60, and below, n. 103; and the southern Arabian markets known as the Ṣafariyya, see al-Masʿūdī, *Murūj al-dhahab*, 2:346, § 1303; Wellhausen, *Reste*, 99; Simon, *Meccan Trade*, 83, 163.

⁵⁸ Discussed in Bonner, “The Tradition on the Markets of the Arabs.”

mid-February. The twin markets of Ṣuḥār and Dabā then take place in Rajab, the seventh month, mid-March to mid-April. And this is when they need to take place: for Dabā is where the sailing ships arrive from India, adding their merchandise and merchants to the cycle of Arabian markets. Furthermore, the climatic cycle of the monsoons dictates that the season for crossing the Indian Ocean from east to west must be from October to March.⁵⁹ The sequence and timing of the Arabian markets thus fit within the rhythms of international trade and the monsoon winds that carry it.

The next markets take place at al-Shiḥr in early Shaʿbān (the eighth month, beginning in mid-April), and at ʿAdan and Ṣanʿāʾ in Ramaḍān (the ninth month, mid-May to mid-June). Then comes a gap, with no market reported in the *ḥadīth al-aswāq* for Shawwāl, the tenth month (mid-June to mid-July). The sequence resumes in the eleventh month, Dhū l-Qaʿda, beginning in mid-July: here we have markets in both Rābiya and ʿUkāz.⁶⁰ This is odd, since this is the only time when two markets are described as taking place simultaneously. The market in ʿUkāz is followed, still in Dhū l-Qaʿda, by a short market in ʿUkāz's neighbor, Majanna.

This situation for Shawwāl and Dhū l-Qaʿda is confusing, but we can resolve the difficulty if we follow an alternative tradition, going back to al-Aṣmaʿī, according to which the market of ʿUkāz took place in Shawwāl, after which the markets of Majanna and Dhū l-Majāz between them occupied all of Dhū l-Qaʿda.⁶¹ This gives us an unbroken sequence. Dhū l-Ḥijja (mid-August to mid-September) is devoted to the pilgrimage, after which the intercalators decide when the new year will begin. The sequence of markets then concludes with Nuṭāt Khaybar and Ḥajr in Yamāma, apparently consecutively, from the tenth (ʿAshūrāʾ) of al-Muḥarram, the first month of the new year, until the end of that month.⁶²

The *ḥadīth al-aswāq* thus provides backing for Abū Maʿshar and al-Bīrūnī's assertion that the old Arabian calendar year was tied to the seasons and began in early autumn. To this we may add the evidence

⁵⁹ K.N. Chaudhuri, *Trade and Civilisation in the Indian Ocean*, 127.

⁶⁰ Thus according to Ibn Ḥabīb and Marzūqī. Yaʿqūbī lists no month at all for Rābiya.

⁶¹ Yāqūt, *Muʿjam al-buldān*, 4:142, *qālū*, "they said," but apparently going back to al-Aṣmaʿī. Here there is no mention of Rābiya at all.

⁶² Ibn Ḥabīb, *Muḥabbar*, 268.

Sequence and timing of markets (ca. 600–610 CE)

Dūmat al-Jandal	Rabī' I (all)	[November–December]
al-Mushaqqar	Jumādā II (all)	[February–March]
Ṣuḥār, Dabā	early Rajab, late Rajab	[March–April]
al-Shiḥr	early Sha'bān	[April–May]
ʿAdan, Ṣanʿā	early Ramaḍān late Ramaḍān	[May–June]
ʿUkāz	Shawwāl (acc. to al-Aṣmaʿī) first 20 days of Dhū l-Qaʿda (acc. to <i>ḥadīth al-aswāq</i>)	[June–July] [July–August]
Rābiya	Dhū l-Qaʿda (concurrent with ʿUkāz, acc. to <i>ḥadīth al-aswāq</i>)	[July–August]
Majanna	early Dhū l-Qaʿda (acc. to al-Aṣmaʿī) late Dhū l-Qaʿda (acc. to <i>ḥadīth al-aswāq</i>)	[July–August]
Dhū l-Majāz	late Dhū l-Qaʿda (acc. to al-Aṣmaʿī) early Dhu l-Ḥijja (acc. to <i>ḥadīth al-aswāq</i> and al-Azraqī)	[August] [August–September]
Minā, ʿArafa [not part of the sequence]	Dhū l-Ḥijja, beginning on the 8th (<i>yawm al-tarwiya</i>)	[August–September]
Nuṭāt Khaybar Ḥajr Yamāma	Muḥarram (or Ṣafar I) Muḥarram	[September–October]

for this position gathered, over a century ago, by Julius Wellhausen, who was not aware of the *ḥadīth al-aswāq*.⁶³ The tradition also shows that the yearly sequence of markets was tied to the annual rhythm of the monsoon winds, as the ships from India arrived in ʿUmān each year in late March and early April.⁶⁴

⁶³ *Reste arabischen Heidentums*, 94–101.

⁶⁴ The English word “monsoon” derives, through Dutch and Portuguese, from the Arabic *mawsim* (see *Oxford English Dictionary*, s.v.). The Arabic word, in turn, derives originally from the “mark” (*wasm*) carried by men or animals during the season of the fairs and pilgrimage, allowing them immunity: see, for instance, Marzūqī, *Azmina*, 2:166. In classical and modern standard Arabic, *mawsim* means both “season” and “annual festival.”

Modern scholars have not found a convincing explanation for why the earliest Islam prohibited the practice of intercalation. This problem will come up again at the end of this essay, but already we can see two results of the prohibition. First, it curtails the influence that a particular group (the Kināna) exerts over the calendar, and thus over the movement of people and goods throughout the peninsula. Second, it brings an end to the yearly cycle of markets and fairs, a cycle which cannot take place according to the unintercalated calendar of Islam.

Cycles and Spirals

There is no reason to doubt that many people visited these “markets of the Arabs,” following the prescribed, clockwise order. This does not necessarily mean that any individual ever traveled the entire sequence, but rather that significant numbers of persons and quantities of goods moved from each point in the sequence to the next. At the same time, there is also no doubt that other people went in different directions and visited other markets that were not part of the sequence at all. So while the *ḥadīth al-aswāq* describes concrete reality to a certain extent, it also describes an idealized movement.

Since the annual series of markets and fairs recurs in a fixed order, it seems reasonable to describe it as a cycle. When viewed on a map, however, it takes the form of an inwardly-directed spiral. It begins in northern Arabia, at a point roughly equidistant from the heads of the Red Sea and Persian Gulf, and then skirts around the eastern and southern edges of the peninsula, before moving northward and inland to ‘Ukāẓ and its neighbors. From there the series connects westward to the pilgrimage sites, before turning northeast to conclude at Khaybar and then Yamāma, in the very heart of Arabia.

Reinforcing this image of a spiral is its accelerating rhythm. Between the first point (Dūma) and the second (al-Mushaqqar) comes a leisurely span of three months, but then each month has its own market, some have two, and the tempo picks up so that the month of Dhū l-Qa‘da has either three or four markets, depending on the version one chooses. The final month in the sequence, Muḥarram, has only two markets, as the spiral comes to an end. Furthermore, this image of a spiral corresponds roughly to the contours of Arab habitation, and perhaps even to the Arabs’ awareness of themselves as a distinct people.

Above all, the accelerating spiral describes a moral trajectory. This begins at a low point, Dūmat al-Jandal. There we have the contested

political sovereignty peculiar to the place, together with the ruler's proprietary role in the market, consisting of his levying taxes and his right to sell before anyone else. (It becomes clear that these are considered negative things).⁶⁵ Worse, the market at Dūma specializes in prostitution and slavery, and it is clear that the *ḥadīth al-aswāq* takes a negative view of both of these. Regarding prostitution, the tradition echoes the Qur'ānic prohibition against "forcing your maidser-vants into prostitution if they desire to remain chaste,"⁶⁶ a clear, if slightly anachronistic condemnation. Slavery is associated here with the tribal confederation of Kalb who "practiced slavery more than any of the Arabs," and it may be significant that the Kalb were sometimes thought of as *musta'riba*, Arabs assimilated to non-Arab culture or vice versa.⁶⁷ In fact, we know little about slavery in pre-Islamic Arabia,⁶⁸ as our literary sources tell us more about hostages and prisoners than about slaves. But we can confirm that slavery and prostitution occur at Dūmat al-Jandal, on the southern fringe of the Byzantine and Sasanian empires, and then do not reappear in the series of Arabian markets. The sequence thus begins at a moral low point which we may describe as one of total commodification. There is no mention of money at Dūma, but everything there is for sale. Instead of good deeds requited or benefits reciprocated, we find services paid for and persons deprived of their social status, of their belonging to any group, and of the use of their own bodies. Even for free participants in the market of Dūma, exchanges are constrained by the selfish activity of a ruler who is, in turn, hampered in his sovereignty and autonomy.

The following points in the sequence, Mushaqqar, Ṣuḥār, and Dabā, come under the partial control or protectorate of the Sasanian empire. Here the Arab rulers enjoy the same privileges, including the levying of taxes, as the rulers of Dūma. Afterward, in al-Shiḥr and Rābiya, we find the absence of any sovereignty whatsoever, together with the necessity of finding "protection" (*khifāra*), another kind of forced payment. Rābiya is a place where violence prevails, as "whoever was

⁶⁵ Bonner, "The Arabian Silent Trade."

⁶⁶ Qur'an 24:33.

⁶⁷ Blachère, *Histoire de la littérature arabe*, 2:237–41.

⁶⁸ The thorough study of early Islamic debt slavery by Irene Schneider, *Kinder-verkauf und Schuldknechtschaft*, does not say much about pre-Islamic Arabian slavery, see 302, 332.

strong there would despoil his fellow.”⁶⁹ On the other hand, Rābiya is admired because of the presence there of the remnant of the noble house of Kinda, the B. Ākil al-Murār, and their local rivals, the Āl Masrūq b. Wā’il al-Ḥaḍramī.⁷⁰

By contrast, the *ḥadīth al-aswāq* expresses admiration for the markets at ‘Adan and Ṣan‘ā’. Here the rulers, unlike their counterparts in northern and eastern Arabia, do not exact tithes or other taxes in the market. In fact, they refrain from any activity there at all: “they never bought or sold in their markets, and they were all admirable in their character and deportment.”⁷¹

At ‘Ukāz the sequence of markets reaches its moral high point. Here the negative aspects of the earlier markets are absent, beginning with the forced payments: ‘Ukāz imposed “neither tithes nor protection,”⁷² that is, it had neither greedy “kings” nor extorting tribesmen. (Other sources, however, describe *sayyids* or strongmen compelling certain clans to pay them “tribute,” *itāwa*, at ‘Ukāz).⁷³ And so, whereas at Dūmat al-Jandal, where the sequence of markets began, everything was a commodity, here at ‘Ukāz the situation is entirely different.

This does not mean that commodities did not exist at ‘Ukāz. Indeed, all sorts of things were sold there, including both luxury goods and items for everyday use such as the “leather of ‘Ukāz.”⁷⁴ However, the medieval sources do not devote much attention to these goods for sale. Instead, they single out ‘Ukāz for the activities of giftgiving, competition and generosity, typically identifying it in terms such as these: “The tribes of the Arabs used to congregate at ‘Ukāz every year and used to hold their boasting contests there (*wa-yatafākharūna fihā*). Their poets would attend [the market] and would vie with one another with their most recent compositions. Then they would disperse.”⁷⁵

These poetic contests of ‘Ukāz, as we find them in literary sources such as the fourth/tenth-century *Kitāb al-aghānī* or *Book of Songs of*

⁶⁹ *Man ‘azza fihā bazza* [ṣāḥibahu]. Marzūqī, *Azmina*, 2:165; Ya‘qūbī, *Ta’rikh*, 1:270.

⁷⁰ Marzūqī, *Azmina*, 2:165; Olinder, *The Kings of Kinda of the Family of Ākil al-Murār*.

⁷¹ Marzūqī, *Azmina*, 2:164.

⁷² Marzūqī, *Azmina*, 2:165.

⁷³ Abū l-Faraj, *Aghānī*, 5:23. ‘Abdallāh b. Ja‘da received *itāwa* at ‘Ukāz from certain clans among the Azd and others, setting in motion a series of events that culminated in a war.

⁷⁴ Abū l-Faraj, *Aghānī*, 22:57; Wellhausen, *Reste*, 88–89; Crone, *Meccan Trade*, 83. On leather of ‘Ukāz, see Yāqūt, 4:142.

⁷⁵ Bakrī, *Mu‘jam*, 3:218; Yāqūt, *Mu‘jam*, 4:142.

Abū l-Faraj al-Iṣfahānī, are formal productions, suited to courtly tastes and likely to have been reworked (if not first composed) in later, Islamic times.⁷⁶ The contests are described as being organized and judged by master poets,⁷⁷ or else as occurring spontaneously between individual rivals, female or male.⁷⁸ Venomous satire was also the order of the day, although its ill effects could be reversed in the intimate conditions of the fair, where the satirist and his victim often came face to face.⁷⁹ Gifts were given and received, chief among them being the gift of a camel for slaughter (*jazūr*), or else a feast of camel meat.⁸⁰ The literal authenticity of these anecdotes may be doubtful, but they do consistently associate the fair of 'Ukāz with the twin themes of generosity and competitiveness.

In the *ḥadīth al-aswāq*, this world of competitive feasting and gift-giving is less visible at 'Ukāz than it is in the *Aghānī*, but its strategies still linger there, especially in the longest episode reported in the tradition, where the old Arabian generosity becomes applied to landed wealth, resulting in an alienation of property that probably proves more consequential (and self-destructive) than the grand old feasts and contests of yore.⁸¹

'Ukāz was a prime location for forming alliances through marriages and other means. It was also the place to foment strife,⁸² especially in the events known as "the wars of 'Ukāz," including the famous "war of *fijār*."⁸³ The competitive spirit extended to preaching: the pulpits (*manābir*) of 'Ukāz allowed a speaker "to relate his deeds, recount-

⁷⁶ Blachère, *Histoire*, 2:341f.

⁷⁷ Such as al-Nābigha al-Dhubaynī, at Abū l-Faraj, *Aghānī*, 9:339–40; cf. Wellhausen, *Reste*, 90.

⁷⁸ As in the contest at the fair of 'Ukāz between Hind bint 'Utba and al-Khansā' over whose afflictions were the greatest: Abū l-Faraj, *Aghānī* 4:211–12; Wellhausen, *Reste*, 90.

⁷⁹ Abū l-Faraj, *Aghānī*, 10:21, an encounter between the wealthy Meccan 'Abdallāh b. Jud'ān al-Taymī and his tormentor, the poet Durayd b. al-Ṣimma.

⁸⁰ Ibid., 9:115–18, the poet al-A'ṣhā would not recite anything until he had received such a present. Here an adroit player of the game, al-Muḥarraq al-Kilābī, turns the situation to his own advantage.

⁸¹ Marzūqī, *Azmina*, 2:168–69. 'Amr b. Shurayd al-Sulamī decides to requite his benefactor, Ma'mar b. al-Ḥārith al-Khaybarī at 'Ukāz. He summons a scribe (!) who writes a deed bestowing upon Ma'mar and his descendants "his property in al-Wahīda, one of the districts (*akhlāf*) of Yathrib." See Lecker, "A Pre-Islamic Endowment Deed in Arabic regarding al-Wahīda in the Ḥijāz."

⁸² For instance, the adventures of the notorious Sulayk b. al-Salaka, Abū l-Faraj, *Aghānī*, 20:378–80.

⁸³ Ibn Hishām, *Sīra*, 119; Mas'ūdī, *Murūj*, 2:76–77, §135–37; Abū l-Faraj, *Aghānī*, 6:341f., 13:221, 15:240.

ing his exploits and the battle-days of his people (*wa-ayyām qawmihi*) from year to year according to the way in which the Arabs transmitted (*akhadhat*) their battle-days and their boasting.”⁸⁴ We find further traces of this competitive spirit in the guarded admiration expressed in the Islamic tradition (and by Muḥammad himself) toward Quss b. Sā’ida, the eloquent “orator of the Arabs” whose sermon at ‘Ukāz was remembered long afterward.⁸⁵

‘Ukāz was also a place where questions of leadership were decided, even though—or precisely because—it lay under the control of no one. The *ḥadīth al-aswāq* retains a recollection that the kings of Yemen used to send agents to ‘Ukāz to find out who was “the most valiant of the Arabs,” and then “to cultivate him and offer him presents.”⁸⁶ Meanwhile other, unnamed “kings” gave presents and “shares of the profits” to the nobles. More broadly, *ribḥ*, “profit,” is tied in the *ḥadīth al-aswāq* to the evaluation of nobility, and to the constant competition among the nobles for prestige, recognition, and royal gifts.⁸⁷ ‘Ukāz was not the only place where these tasks were accomplished, but it was certainly one of the foremost.

“Time Has Come Full Circle”

The markets described in the *ḥadīth al-aswāq* are attested in other sources,⁸⁸ as are some of the links among them. Nonetheless, this is the only extant narrative that combines all these sites into a single, sweeping movement. Equally important, the *ḥadīth al-aswāq* stands alone in its non-inclusion of the sites of the annual pilgrimage. In other words, it mentions the pilgrimage sites—which here include Minā and ‘Arafa, but not Mecca—and connects them, with a kind of spur, to the sequence of the “markets of the Arabs.” However, it does not consider these pilgrimage sites as part of the market sequence itself.

In other narrative traditions describing Arabia before Islam, we do not find this long sequence of “markets of the Arabs,” but instead a short sequence of markets or fairs called *mawāsim* (singular: *mawsim*).

⁸⁴ Marzūqī, *Azmina*, 2:170.

⁸⁵ Abū l-Faraj, *Aghānī*, 15:246–47. Quss, said Muḥammad, “will be resurrected as a community (*umma*) all by himself.”

⁸⁶ Marzūqī, *Azmina*, 2:165.

⁸⁷ Bonner, “The Arabian Silent Trade.”

⁸⁸ With the not terribly important exception of Rābiya.

This short *mawāsim* sequence overlaps with the last part of the “markets of the Arabs” sequence of the *ḥadīth al-aswāq*, since it usually includes ‘Ukāẓ, Majanna and Dhū l-Majāz. (The *ḥadīth al-aswāq* also refers to these three occasionally as *mawāsim*.) However, the short *mawāsim* sequence omits all the previous markets, from Dūmat al-Jandal to Ṣan‘ā’. Instead, it includes the sites of the annual pilgrimage, including Minā and ‘Arafa and, in some versions, Mecca itself, and also, in some versions, other sites such as Badr.⁸⁹ In these narrative traditions on the *mawāsim*, the pilgrimage is the journey’s clear goal, while the *mawāsim* amount to mere preparatory stops. Unlike the spiral of the *ḥadīth al-aswāq*, this *mawāsim* sequence has characteristics of a circle: it repeats each year, it has no universally agreed-upon starting point, and its culminating moment is the circumambulation around the sanctuary in Mecca.

This short cycle of *mawāsim* appears in the works of many authors and transmitters concerned with Arabia before Islam. Among these there are many differences of detail. Here I will not try to pick out those traditions that seem more historically accurate than others, and I will not attempt to harmonize all these versions into one broad, consistent picture.⁹⁰ Instead, I wish to emphasize that taken as a whole, the description of trade and pilgrimage in Arabia on the eve of Islam that we find in the *mawāsim* cycle (in all its versions) is fundamentally incompatible with the “markets of the Arabs” described in the *ḥadīth al-aswāq*. I cannot say which of the two is closer to historical reality; I only wish to point out that they are rival representations of that reality. This fundamental difference has been glossed over in modern scholarship that has viewed ‘Ukāẓ and the “markets of the Arabs” entirely in relation to the rise of Mecca and Quraysh.

To illustrate the differences between these rival narratives of markets and pilgrimage in Arabia before Islam—the long spiral of the “markets of the Arabs” and the short cycle of the *mawāsim*—I will contrast

⁸⁹ Badr, the site of the first battle of Islam in 2/624, is described as the location of “one of the yearly fairs of the Arabs” (*mawsim min mawāsim al-‘Arab*) in several places, but not in the *ḥadīth al-aswāq* and not in Yāqūt’s entry for Badr, *Mu‘jam*, 1:357–58. See Wāqidi, *Maḡhāzī*, 1:43–44; Ibn Sa‘d, *Ṭabaqāt*, 2.1: 42–43; Ṭabarī, *Ta’rikh*, 1:1307, 1460; Hamdānī, *Ṣifa*, 180. See also Jacob, *Altarabisches Beduinenleben*, 147; Wellhausen, *Reste*, 83f., citing the *Ḥamāsa* (an eight-day fair); Afghānī, *Aswāq*, 211–13.

⁹⁰ For this, see Kister, “Mecca and Tamīm,” and Simon, *Meccan Trade*, esp. 63–72.

two texts. The first, which describes the “markets of the Arabs,” is, of course, the *ḥadīth al-aswāq*. The second is the *History of Mecca* by al-Azraqī (d. ca. 250/865), which describes the pre-Islamic sequence of *mawāsim* in some detail.⁹¹ Much or most of what Azraqī narrates here can be found in other sources. However, his presentation provides a good example because it is relatively early and has been much cited. Moreover, its transmitters include Ibn al-Kalbī, who is also a transmitter of the *ḥadīth al-aswāq*.⁹² For these reasons, Azraqī’s account of the *mawāsim* provides a useful text for comparison with the *ḥadīth al-aswāq*.

Azraqī begins by saying that the Arabs used to adhere to two “ways of religion” (*dīnayn*), the “profane” *ḥilla* and the “zealous” *ḥums*. The *ḥums* are characterized here as a varied group, led by the Quraysh of Mecca, who practiced abstinence in their diet, clothing and shelter, especially during the sacred months.⁹³ Their devotional practices centered on the pilgrimage and the sanctuary in Mecca, where they sometimes lent clothing to members of the *ḥilla*, who otherwise felt compelled to circle around the House stark naked. After the coming of Islam, the Prophet declared solidarity with the *ḥums*, while easing the burden of their rigorous practice. Several divine revelations, Azraqī says, had a similar effect: that is, while God approved of the *ḥums* and their piety, He now declared their practices obsolete.⁹⁴

Azraqī then enters into a discussion of the calendar. In early times, responsibility for the calendar was entrusted to members of Kinda, “because they used to be kings of [all] the Arabs, both Rabīʿa and Muḍar.”⁹⁵ Then it went to the Kināna, at first because they were tied to the Kinda by marriage, and it remained among the Kināna for several generations, until it went to the Banū Fuqaym, who held it at the

⁹¹ *Akhbār Makka* (Mecca, 1385/1965), 1:179–94. The book is based on the work of the author’s grandfather, Aḥmad b. Muḥammad b. al-Walīd b. ʿUqba b. al-Azraq (d. 222/837), see Sezgin, GAS, 1:344.

⁹² Azraqī relates his information on the *mawāsim* with a complete *isnād*, Azraqī—his grandfather—Saʿīd b. Sālim—ʿUthmān b. Sāj—Muḥammad b. Ishāq—al-Kalbī—Abū Ṣāliḥ, a mawlā of Umm Hānī—Ibn ʿAbbās.

⁹³ Kister, “Mecca and Tamīm,” 132–40.

⁹⁴ These include Qurʾān 2:189, “It is not an act of piety (*birr*) for you to enter your houses from the back; piety consists rather in fearing [God]. Enter houses by their [front] doors.”

⁹⁵ Azraqī, *Akhbār Makka*, 1:182. The Kinda are also described here as vassals of the South Arabian kings, *ardāf al-Maqāwil*.

time of the coming of Islam.⁹⁶ Each year, at the conclusion of the pilgrimage, the man charged with this function would stand in the open space before the Ka'ba and declaim a speech in rhymed prose, declaring when the new year would begin. What he did here, according to Azraqī, was to say that the second month of the year (Ṣafar II, or in the later, Islamic calendar, Ṣafar) should be considered as the first month, Ṣafar I (or in the Islamic calendar, al-Muḥarram). All the months of the year were accordingly pushed back (the third month becoming the second, the fourth becoming the third, and so on). This operation was performed once every two years, over a period of twenty-four years. Then, in the twenty-fifth year, the first month of the calendar would coincide with the "natural" first month, and the cycle would begin again.

As we have already seen, if this story has any basis in reality, then the point of the operation must have to accommodate the lunar months to the seasonal rhythm of the solar year, through intercalation, at least over long periods of time. Azraqī, however, does not mention this possibility; what concerns him is that in this way the four sacred months of the year, and the rites performed in them, became pushed into non-sacred times. In Azraqī's eyes, this mixing of sacred and profane time was a great wrong and the work of the Devil.⁹⁷ But then the coming of Islam brought an end to this way of marking time, with the revelation of Qur'ān 9:36–37 and the words of the Prophet during his Farewell Pilgrimage: "Oh you people! Time has come full circle, back to its configuration on the day when God created the heavens and the earth. Henceforth no month will be intercalated, and no calculation will be mistaken. The pilgrimage will remain in Dhū l-Ḥijja, until the day of resurrection."⁹⁸

From here Azraqī goes on to the office of *ifāḍa* or *ijāza*, which involved giving permission to pilgrims to proceed from 'Arafa to Mecca. This office was passed down from father to son over many generations. At one point it was held by the clan of the 'Adwān, among whom there was a man known as the "arbiter of the Arabs," one 'Āmir

⁹⁶ The Fuqaym belong to Kināna in any case: Ibn Hishām, *Sīra*, 29–30, says that the first intercalator was al-Qalammas, "who was Ḥudhayfa b. 'Abd b. Fuqaym b. 'Adī b. 'Āmir b. Tha'laba b. al-Ḥārith b. Mālik b. Kināna b. Khuzayma."

⁹⁷ Azraqī, *Akhbār Makka*, 1:183, bottom.

⁹⁸ Azraqī, *Akhbār Makka*, 1:185.

b. al-Zarb.⁹⁹ Here we may note that in the *ḥadīth al-aswāq*, we similarly find the twin offices of *amr al-mawṣim*, “control over the market fair,” and *qaḍāʾ*, “judgeship” or “arbitration,” exercised at ‘Ukāz and passed down from father to son. And here it is this very same ‘Āmir b. al-Zarb al-‘Adwānī who holds both functions, but not in Mecca during the pilgrimage, but rather at the fair of ‘Ukāz.¹⁰⁰

Azraqī then goes on to describe the *mawāsim* themselves, places already familiar to us from the end of the sequence of the *ḥadīth al-aswāq*. At ‘Ukāz, he says, the market went on for twenty days during Dhū l-Qa‘da, as people “planted their banners, called upon one another in their tents, and bought and sold in the marketplace.” Then they held their market in Majanna for the last ten days of the month. On the new moon of Dhū l-Ḥijja, they went on to Dhū l-Majāz; then, after eight days, on “the day of watering” (*yawm al-tarwiya*), they proceeded to the pilgrimage rites of ‘Arafa. Some of those who went to these markets engaged in trading, but others didn’t and simply left their families at home and did whatever they liked. Buying and selling did not take place at the pilgrimage sites of Minā and ‘Arafa, until God gave permission for this in a revelation, “It is not accounted against you as a crime if you seek the bounty of your Lord,” to which Azraqī, like other authors, adds the variant reading (*qirāʾa*): “at the fairs of the pilgrimage,” *fi mawāsim al-ḥajj*.¹⁰¹ In other words, the term *mawāsim* now refers to the pilgrimage sites themselves; meanwhile, the fairs of ‘Ukāz, Majanna and Dhū l-Majāz have begun to fall into oblivion.

Azraqī completes his account of the fairs and the pilgrimage by noting that “these markets in ‘Ukāz, Majanna and Dhū l-Majāz continued to be held under Islam, as long as it was young of age.” ‘Ukāz was abandoned in 129/746–47, during the Khārijite rebellion of Abū Ḥamza al-Mukhtār al-Azdī al-Ibādī, when people feared to venture there. Majanna and Dhū l-Majāz were abandoned soon after, “and people made do with the markets in Mecca, Minā and ‘Arafa.” Azraqī tells us that “the last of the markets of the jāhiliyya to be abandoned”

⁹⁹ Ibid., 1:186–87.

¹⁰⁰ Marzūqī, *Azmina*, 2:167. The source for both versions is Ibn al-Kalbī.

¹⁰¹ Qurʾān, 2:198; cf. Afghānī, *Aswāq*, 202–04. The variant reading is attributed to Ubayy b. Kaʿb.

was Sūq Ḥubāsha, not one of the “markets of the Arabs” known to us from the *ḥadīth al-aswāq*.¹⁰²

Azraqī’s narrative of the pilgrimage and the *mawāsim* includes topics and themes that also appear in the *ḥadīth al-aswāq*. These include a preoccupation with the calendar, and a division of the Arabs into groupings of the “zealous” and “profane.” In Azraqī we find the functions of *ijāza* or *ifāda*, maintaining order, and of pan-Arab arbiter, all exercised during the pilgrimage and at Mecca, at one point by one ‘Āmir b. al-Ḍarb; similarly, in the *ḥadīth al-aswāq* we have the duties of “control over the market and the judgeship,” exercised by this very same ‘Āmir, but now at ‘Ukāz. Both narratives describe these markets, devoting special attention to ‘Ukāz. Here, however, Azraqī does not mention the stones in ‘Ukāz which, according to al-Aṣma‘ī, were used for circumambulation and sacrifice.¹⁰³ Above all, he ignores the generosity, giftgiving, and competitive practices for which ‘Ukāz was famous. Similarly, in Azraqī, the trading that goes on at ‘Ukāz, and then afterward, under Islam, at ‘Arafa, Minā, and Mecca, is what we might call “merely economic” activity, without the sacral and political importance that it has in the *ḥadīth al-aswāq*. In these ways, ‘Ukāz seems to lose its liveliest characteristics.

Mecca and ‘Ukāz

This contrast between Azraqī’s *History of Mecca* and the tradition on the “markets of the Arabs” raises the possibility that just before or after the coming of Islam, the activities characteristic of ‘Ukāz (market, fair, judgeship, arbitration) became transferred to the pilgrimage sites of ‘Arafa and Minā, as well as to Mecca itself. Meanwhile, other activities—especially those relating to competition and generosity—became downplayed, banned, or repressed. We are told that the principal actor in the imposition of these measures was the Prophet himself. However, information on all this remains scarce. It is likely that much of this downplaying and transferring came through a recasting of events in historical hindsight, through the work of scholars such as al-Azraqī, for whom ‘Ukāz seems to represent an uncomfortable memory. Accordingly, we may consider the possibility that ‘Ukāz was

¹⁰² Azraqī, *Akhbār Makka*, 1:191–92. On Sūq Ḥubāsha, see Afghānī, *Aswāq*, 258–60.

¹⁰³ Bakrī, *Mu‘jam*, 3:218.

a serious rival for Mecca, and not just the colorful sideshow that we usually think it was.

Did 'Ukāẓ really present a challenge to Mecca? Over a century ago, Julius Wellhausen posed this question, in the form of "what did 'Ukāẓ have to do with Mecca?"¹⁰⁴—an ironic echo of Tertullian's "what has Athens to do with Jerusalem?" Wellhausen's answer was that while 'Ukāẓ was indeed a thriving fair, it lasted for only a short part of each year. Lacking a fixed site, a permanent population, and a leadership of its own, it posed no threat to Mecca and Quraysh. For Wellhausen, the central fact in all this was the rise of Mecca and Quraysh during the century or two before Islam. As the Meccans extended their commercial and political networks throughout Arabia, they cast a covetous eye at 'Ukāẓ which lay, so to speak, in their own backyard. Before long they gained control over it, so that if 'Ukāẓ had ever presented a challenge to them, they turned it now to their own political and commercial advantage.

After Wellhausen, this view of the matter has been expressed with ever more sophistication and detail, though it has been rare for 'Ukāẓ itself to receive so much attention.¹⁰⁵ Nowadays, however, these questions have grown even more difficult than before. For in the eyes of quite a few modern scholars, the information that we have on these matters is fragmented and scattered in its form, and prone to contradiction in its content. Our only access to this information is through medieval authors who (like all authors everywhere) reshaped and reworked their information in order to make it presentable and attractive for their readers. What were the concerns, trends, or biases that guided them in this work? This is an endlessly difficult question, but one thing emerges clearly enough: many, perhaps most of the medieval Islamic scholars who wrote about Arabia just before Islam identified Quraysh as the central actors in the drama, and Mecca as the principal stage. Now we know, however, that Mecca was one center among many within a diverse and changing environment.

In this essay I have claimed that in the medieval Islamic sources we find two rival and, in the end, incompatible versions of what happened at the fairs and the pilgrimage in Arabia before Islam. By way of conclusion, I will sum up the characteristics of each.

¹⁰⁴ Wellhausen, *Reste*, 88–91.

¹⁰⁵ An exception is al-Afghānī, *Aswāq*, 277–343.

First we have the “spiralling” movement represented in the tradition on the “markets of the Arabs,” which may also appear in a few fragments from other scholars—independently of the *ḥadīth al-aswāq*—such as al-Aṣmaʿī. This movement takes place every year, covers most of the peninsula, and is precisely fixed to the seasons of the solar year. The *ḥadīth al-aswāq* also describes the domination of petty rulers in some of the Arabian towns, where these rulers establish rudimentary price structures. However, the tradition takes a dim view of these petty rulers and shows a clear preference for the mode of generosity, reciprocity and gift-giving that prevails at ʿUkāz. Again, this does not mean that buying and selling do not take place at ʿUkāz. But the main point of what goes on there is to demonstrate the worth of certain individuals through acts of ostentatious generosity. Thus we have, together with the domination of petty rulers in several towns, an intense competition among “nobles” for the favor of those rulers.¹⁰⁶

On all these points, the situation is different in the more generally accepted view of the matter, which in this essay I have associated with al-Azraqī’s *History of Mecca*. Here, instead of a spiral throughout the entire peninsula, we have a cyclical movement among several *mawāsim* or fairs, most of them only a few days’ journey away from Mecca and the pilgrimage sites. This movement also takes place every year, but without any reference to the seasons. For in Azraqī’s presentation, the culminating event is the sermon of the Farewell Pilgrimage, in which the Prophet declares that “time has come full circle”: whatever the situation of the calendar may have been until now, henceforth there will be only the divine order of the months, sacred and profane, without regard for their placement within the seasons of the solar year.

Unlike the *ḥadīth al-aswāq*, where “nobles” compete for status and petty rulers hold sway over some of the larger towns, Azraqī and the *mawāsim* tradition in general focus upon Quraysh, as these extend their networks throughout Arabia in alliance with other groups, especially, once again, the Tamīm.¹⁰⁷ Above all, Quraysh focus their attention and activity on the pilgrimage and their own Meccan sanctuary. Here ʿUkāz, Dhū l-Majāz, and Majanna amount to preparatory stops, allowing people to trade and to socialize before the pilgrimage, which is clearly the main event. Moreover, this trading and socializing (in

¹⁰⁶ Bonner, “The Arabian Silent Trade.”

¹⁰⁷ Kister, “Mecca and Tamīm.”

Azraqī) lack the social and religious significance that they had at ‘Ukāz according to the *ḥadīth al-aswāq*.

It is neither desirable nor possible for us now to choose one of these rival versions (the “spiral” or the “cycle”) over the other. We can say, however, that if the “spiral” did have any relation to practices in the real world, then these practices came to an end with the coming of Islam. For the change in the calendar made the sequence of the “markets of the Arabs” impossible to follow. Naturally, ships from India would still dock at the ports of Yemen and ‘Umān. However, the peninsula’s maritime commerce would no longer be tied in a single, seasonal movement to the fairs of ‘Ukāz and its neighbors. As a result, these fairs quickly declined and disappeared.

In what way, then, did ‘Ukāz pose a challenge to Mecca? We may recall that the *ḥadīth al-aswāq* offers a picture of Arabian commerce that is, in its literal detail, somewhat unrealistic. In other words, it presents an ideal state of affairs, such as might serve for contrast with some other ideal state of affairs. We may also recall that Mecca and the Quraysh had, at least in some ways, a positive place in Islamic historical memory. This seems paradoxical, since the Meccans rejected Muḥammad and his teaching for many years. Nonetheless, the Quraysh of previous generations are often associated with practices and beliefs that would later be characteristic of Islam. These include the activities of the *ḥums*,¹⁰⁸ and the practice attributed to Hāshim b. ‘Abd Manāf of using his commercial networks and his leading role in the pilgrimage to promote solidarity and the sharing of resources between the wealthy and the poor.¹⁰⁹

From all this we can conclude that ‘Ukāz did constitute a challenge, but not to Mecca and its elite in the sixth century, but rather to the nascent order of Islam in the seventh. In other words, what ‘Ukāz and the “markets of the Arabs” represented for the early Muslims was not a rival polity, such as they encountered at Yamāma and elsewhere in Arabia during the wars of the *ridda*, so much as a rival moral and social order. To us this rival order seems regressive and archaic: self-vaunting generosity, a favored position for elite individuals and groups within the tribes, the domination of self-interested, petty rulers in the

¹⁰⁸ Above, n. 93.

¹⁰⁹ Ibn Hishām, *Sira*, 87; Ṭabarī, *Ta’rikh*, 1:1089; al-Zubayr b. Bakkar, *Nasab Quraysh*, 1:367, no. 644, cited by Kister, “Mecca and Tamīm,” 125.

towns. In the *ḥadīth al-aswāq*, however, these values have considerable power of attraction, because they are articulated so coherently through both space and time.

The tradition on the “markets of the Arabs” portrays the Arabian peninsula at a time of internal change and international crisis. We have seen that it provides support for the view that the pre-Islamic Arabian calendar resembled the Jewish calendar, in that it began each year in early autumn and made use of intercalation to bring the lunar year into harmony with the seasonal patterns of the solar year. We have also seen that the transformation of this calendar had several effects. Chief among these was the disappearance of the old fairs and markets and with them, of the customs and habits of ‘Ukāz, where the Arab elites used to work out their rivalries and alliances through a combination of trading, giftgiving, and boastful display. All this amounted to a revolution for Arabia, a revolution which the Islamic sources present as a restoration of time to its true, original configuration.

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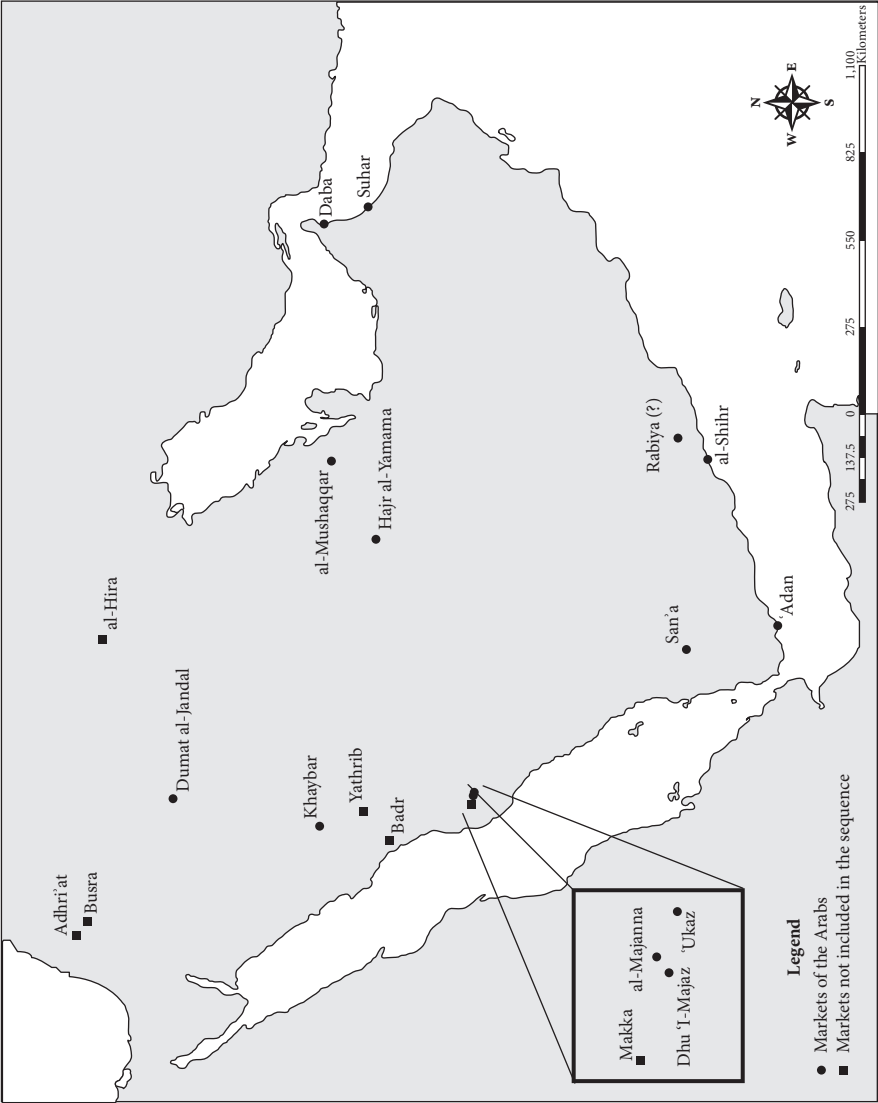


Figure 1. The Markets of the Arabs.

THE WAṢIYYA OF ABŪ HĀSHIM:
THE IMPACT OF POLEMIC IN PREMODERN
MUSLIM HISTORIOGRAPHY

Najam Haider

In Rabīʿ I 66/October 686, Mukhtār b. Abī ʿUbayd al-Thaqafī led a revolt against the Umayyads to avenge the “blood of [the Prophet’s] family” in the name of the prominent ʿAlid, Muḥammad b. al-Ḥanafīyya.¹ The uprising was crushed in Ramaḍān 67/April 687 by an army composed of the Kūfan tribal elite (*ashrāf*) and Meccan supporters of ʿAbdallāh b. Zubayr. The rebels who survived the defeat and maintained their belief in the imāmate of Muḥammad b. al-Ḥanafīyya were subsequently known as the Kaysāniyya.² After Mukhtār’s death in 84/703, the Kaysānīs split into several factions, including a “small but well organized” group that confirmed the Imāmate of Ibn al-Ḥanafīyya’s eldest son, Abū Hāshim.³ In time, a close friendship developed between the prominent (and childless) ʿAlid and his cousin ʿAlī b. ʿAbdallāh b. al-ʿAbbās (d. 117/735). Some historians even reported that Abū Hāshim moved the entire ʿḤanafīyya⁴ branch of the ʿAlid family to the ʿAbbāsīd estate in al-Ḥumayma by 91/710.⁵ Abū Hāshim died in 98/716–7, either in al-Ḥumayma or between al-Ḥumayma and Damascus. The next three decades witnessed successive ʿAlid revolts and a period of clandestine propaganda (*daʿwa*) in Khurāsān, culminating in Shawwāl 129/June 747 when Abū Muslim unfurled black banners and declared open rebellion against the Umayyads. In Jumādā II 130/ February 748, he decisively defeated the Umayyad governor

¹ Sharon, *Black Banners*, 105–6.

² al-Qāḍī (*al-Kaysāniyya fī l-taʾrikh wa-l-adab*) discusses the origins of the name “Kaysāniyya” and identifies the Hāshimiyya as its largest constituent group after the death of Muḥammad b. al-Ḥanafīyya. See also EI² art. “Kaysāniyya” (W. Madelung).

³ Sharon, *Black Banners*, 109, 125. Several studies of the ʿAbbāsīd *daʿwa* have discussed the origin of the name “Hāshimiyya.” Some have argued that it derives from Abū Hāshim, while others maintain that it dates back to Hāshim, the ancestor of the ʿAlid and ʿAbbāsīd branches of Quraysh. See Madelung, “The Hāshimiyyāt of al-Kumayt.”

⁴ The branch of the ʿAlid family descended from Muḥammad b. al-Ḥanafīyya.

⁵ Sharon, *Black Banners*, 115, 125.

of Khurāsān, Naṣr b. Sayyār, effectively establishing a new dynastic power. ‘Abdallāh b. Muḥammad b. ‘Alī b. ‘Abdallāh b. al-‘Abbās was proclaimed the first ‘Abbāsīd caliph in Kūfa in 132/750.

Most modern historians affirm the historicity of this timeline and focus instead on identifying (a) the primary causes of the revolution and (b) the process whereby the ‘Abbāsīds consolidated their power. Why did the revolution erupt when and where it did? Why were the ‘Abbāsīds able to succeed where the ‘Alīds had met with repeated disasters and failures? How did the ‘Abbāsīds frame their argument for political legitimacy vis-à-vis their ‘Alīd cousins? On the surface, the answers to many of these questions appear within the textual tradition itself in the form of public speeches, portents, or covert communications. Reliance on these texts for historical information, however, is complicated by (a) their unreliable dating and (b) their highly literary nature.⁶ It is the second of these factors that has played an especially important role in several recent studies on the early Islamic period.⁷

Jacob Lassner’s literary approach to ‘Abbāsīd historiography has particular importance in the context of this study. Specifically, Lassner argues for the primacy of ideological debates and political propaganda in the authorship of ‘Abbāsīd historical narratives. ‘Abbāsīd history was written by apologists in a dynamic process that required the reader’s direct participation.⁸ Propagandists “wove strands of historical fact

⁶ To some extent, all historical chronicles are literary documents shaped by the historian’s prejudice as well as the mores and norms of society at large. In the case of the sources for early Islam (i.e., the first two centuries), such influences are pervasive and often difficult to navigate, with some modern scholars going so far as to argue that these influences reshaped (or even dictated) the historical narrative. The debate over the accuracy of this claim is beyond the scope of this paper, which is more interested in finding approaches that bypass these textual controversies altogether.

⁷ For representative examples, see Noth, *The Early Arabic Historical Tradition*; Leder, “The Literary Use of the *Khabar*”; idem, “Authorship and Transmission in Unauthorized Literature”; Conrad, “The Conquest of Arwād.” A similar approach is applied to topics from later centuries in Cooperson, *Classical Arabic Biography*, and Mojaddedi, *The Biographical Literature in Sufism*.

⁸ Lassner, *Islamic Revolution and Historical Memory*. Lassner does not make clear whom he means by “the reader.” His argument centers upon a “reader” who can see through implicit references within a narrative account, interpreting them in a manner consistent with the propagandist’s polemical intent. However, the general population was not capable of interpreting historical accounts in this way. If Lassner’s thesis about propaganda and interpretation is correct, it is much more probable that the process occurred only in literate elite circles. Moreover, it is by no means clear how susceptible these elite groups were to manipulation and propaganda of the type that Lassner describes. It is likely that the narratives played substantially varied roles for different segments of society.

into a large fabric of their own making.”⁹ The result was a tapestry of references which apologists “authenticated...by drawing on vivid historical memories.”¹⁰ The interpretation of such a literary creation required a type of knowledge prevalent in society as a whole, with the account’s persuasiveness predicated on its subtle understatement. As a whole, “it encouraged the reader to combine historical memory with powers of observation and reason in order to discover the truth for himself.” Upon discovering the truth in this fashion, “the reader was likely to defend it with tenacity.”¹¹ The apologist/historian sought a balance between the potential exposure of his personal ideological inclinations and the danger of obscurity under a multitude of references.¹²

Lassner asserts that despite the polemical intentions of ‘Abbāsīd apologists, their accounts retained “the kernel of a historical truth.”¹³ An educated reader of the time was capable of differentiating between polemical claims and historical information. Within a few centuries, however, the type of information needed for an effective critique of these accounts was no longer available; “without an adequate mechanism to store contemporary readings of historical texts, the revival

⁹ Lassner, *Islamic Revolution*, 14. Alternatively, it might be argued that Lassner overstates the creative component in the construction of these narratives. In other words, it could be the case that these narratives were already in wide circulation and that the individual historians-propagandists simply compiled or recorded them. Regardless of whether they were constructed or compiled, however, the narratives incorporate numerous details and allusions which testify to the historian-propagandist’s creative role. Lassner’s work turns primarily on the inclusion and exclusion of specific details, as opposed to the origins of the account as a whole.

¹⁰ Lassner, *Islamic Revolution*, 14.

¹¹ *Ibid.*, 15.

¹² In a representative example of this dynamic, Lassner cites several traditions in which the future caliph, al-Manṣūr, dreams that he and his brother, al-Saffāh, are designated by the Prophet and ‘Alī for political authority (*wilāya*). The symbols in the dream vary from a turban whose folds indicate the length of each brother’s reign to a reference to al-Manṣūr as the “father of caliphs.” Some versions include the Prophet’s implicit rejection of al-Manṣūr’s ‘Abbāsīd rival, ‘Isā b. Mūsā, or his ‘Alid opponents. These accounts, which support al-Manṣūr’s claims to political legitimacy, lack any reliable historicity. Lassner contends that “by invoking the obvious argument in support of [al-Manṣūr’s] position, [the propagandist] would have immediately revealed his intention, and alerted the audience to his partisan stance; instead, a complicated and subtle corpus of propaganda was put forward as history, requiring the reader’s active interpretation.” For this and other examples, see *Islamic Revolution*, 11–54.

¹³ Lassner, *Islamic Revolution*, 25.

of earlier interpretations became increasingly difficult.”¹⁴ Later historians felt compelled to explain obscure references and inadvertently forwarded images of the past distorted by contemporary lenses.¹⁵ Over time the process accelerated, as “philological and historical memories grew dim and still dimmer, so that logical connections were indeed lost.”¹⁶ Although Lassner (like Albrecht Noth) thought that *topoi* and *schemata* often filled gaps in historical accounts which lacked a logical flow, he went further by claiming that historians constructed those accounts in a tendentious manner, influenced by polemical debates of their own time.

In this paper, I adopt a similar perspective, by focusing not on historicity but rather on the polemical dimensions of an event of seminal importance for ‘Abbāsīd political and religious claims, namely the (alleged) *waṣīyya* (testament) of Abū Hāshim in 98/716–7. According to most reports, Abū Hāshim, who lacked a male heir, transferred both the imāmate (as represented by a set of material objects, see below) and the leadership of his network of Kaysānī followers to Muḥammad b. ‘Alī b. ‘Abdallāh, an ‘Abbāsīd, while on his deathbed. The ‘Abbāsīds then used this episode to legitimize their own broader political and religious claims by establishing a direct connection between themselves and ‘Alī b. Abī Ṭālib.¹⁷ In addition, many modern scholars have referred to this narrative to explain the sudden emergence of the ‘Abbāsīds at the head of a highly-structured Shī‘ī organization in the early second/eighth century.¹⁸ Although the veracity of the transfer remains in dispute,¹⁹ it was accepted by a majority of premodern Muslim historians.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid., 32.

¹⁷ The ‘Abbāsīds followed the Kaysānī Shī‘a in tracing the imāmate from ‘Alī through his three most prominent sons, al-Ḥasan, al-Ḥusayn, and Muḥammad b. al-Ḥanafīyya. When the latter died in 84/703, Abū Hāshim inherited the imāmate which he subsequently transferred to the ‘Abbāsīds. This line of argument is traced below in the discussion of the AA base narrative.

¹⁸ This line of argument was initiated by Sharon and integrated into most subsequent accounts of the ‘Abbāsīd Revolution.

¹⁹ Sharon uncritically accepts the episode’s veracity, stating that “the very fact that this account [i.e., the *waṣīyya*] was preserved in all its detail in the ‘Abbāsīd literature proves its authenticity” (*Black Banners*, 99). A more nuanced affirmation is offered by

This paper bypasses the question of veracity and focuses instead on the polemics embedded within variants of the *waṣiyya* narrative. The first section examines the earliest layer of historical materials which preserve competing (and sometimes contradictory) accounts of the episode. The second section turns to the Mamlūk historical tradition, highlighting the processes through which later historians crafted a narrative which both affirmed the historicity of the *waṣiyya* and stripped it of its overtly polemical elements. As a whole, this study models one of a variety of alternative approaches for examining textual sources of disputed historicity.

I. *The First Layer of Accounts*

The earliest extant reports for the *waṣiyya* are found in historical works dating from the third/ninth and fourth/tenth centuries. They cover a wide geographical range and encompass historians/compiler from diverse occupational and religious backgrounds. Ibn Saʿd (d. 230/843) was the Medinan author of a *ṭabaqāt* work, while al-Ṭabarī (d. 311/923) was a Baghdādī scholar famed primarily for his exegetical and legal works. The ʿAbbāsīd bureaucracy produced a number of historians including al-Balādhurī (d. 280/892, Baghdad), al-Yaʿqūbī (d. 284/887, Khurāsān/Egypt) and al-Masʿūdī (d. 345/956, Egypt/Syria/Baghdad). Abū l-Faraj al-Iṣbahānī (d. 356/967) was a Zaydī Shīʿī and the author of a famous collection of poet biographies, placing him both within and outside the highest circles of ʿAbbāsīd court culture. A similar relationship to courtly culture (albeit in al-Andalūs) characterized the multifaceted work of Ibn ʿAbd Rabbihi (d. 328/940). Finally, the *Kitāb al-imāma wa-l-siyāsa* and the *Akhbār al-dawla al-ʿabbāsiyya* were anonymous historical texts compiled in the late third/ninth century. The former is dubiously attributed to Ibn Qutayba²⁰ (d. 277/889, Baghdad), a prominent *adīb* and theologian, while the latter is considered a product of “official” ʿAbbāsīd propaganda. The accounts

Crone (*Slaves on Horses*, 246) who intimates that the episode may be historical, but is more interested in the implications of its use for legitimizing ʿAbbāsīd rule.

²⁰ EI², art. “Ibn Qutayba” (G. Lecomte).

preserved in these works can be classified into five “base narratives”²¹ rooted in textual similarities and common polemics.²²

1. *The Ibn Sa’d Base Narrative*

a. *Texts*

The oldest surviving historical work containing a version of the *waṣīyya* (subsequently referred to as the IS base narrative) is Ibn Sa’d’s *al-Ṭabaqāt al-kubrā* compiled in the early third/ninth century.²³ The IS base narrative consists of (a) a brief portrait of Abū Hāshim that is either laudatory or neutral, (b) a laconic description of his death with no explicit or implicit reference to poisoning, and (c) a minimalist rendering of the *waṣīyya* episode centered on a formulaic transfer of documents (*kutub*) and narrations (*riwāyāt*).

Ibn Sa’d is cited as the authority for two different accounts. The first of these, found in the *Ṭabaqāt*, dates Abū Hāshim’s death to the reign of Sulaymān b. ‘Abd al-Malik, and places it at the ‘Abbāsīd estate in al-Ḥumayma. It also includes a statement by Abū Hāshim predicting the rise of Muḥammad b. ‘Alī’s descendants to the Caliphate. A variant version, also ascribed to Ibn Sa’d, is cited by Ibn ‘Asākir (d. 571/1176) in his *Ta’rīkh madīnat Dimashq*. This account lacks Abū Hāshim’s *waṣīyya* statement and refrains from praising his religious knowledge or attributing any distinguished attributes to him at all.²⁴ Instead, it focuses

²¹ The term “base narrative” refers to versions of the *waṣīyya* that are distinctive with respect to (a) chronology, (b) the inclusion or exclusion of details, and (c) polemical orientation. The last of these, in particular, is a subjective standard open to debate. As a whole, these base narratives appear to serve as raw materials in the construction of hybrid accounts in later historical works. This process is discussed below at length. Names are assigned to each base narrative (e.g., the IS base narrative) in accordance with the author of the historical work in which they first appear.

²² In naming these base narratives, preference is given to the earliest historical works that contain a particular account. Over time, the importance of debates over ‘Abbāsīd political legitimacy decreased, as did the likelihood that new versions of the *waṣīyya* would be produced. Later, Mamlūk-era accounts are combinations of these primary base narratives.

²³ Ibn Sa’d, *Kitāb al-ṭabaqāt*, 7:321–22.

²⁴ Ibn ‘Asākir also quotes a second version of the *waṣīyya* (which he ascribes to Ibn Sa’d), almost identical to the one preserved in the *Ṭabaqāt*.

almost exclusively on his 'Alid genealogy and identifies Muḥammad b. 'Alī as his inheritor, with no further commentary.²⁵

The IS base narrative is distinguished by a bare, simple style, together with a subtle polemic that is difficult to decipher. In particular, it does not accord an honored position to Abū Hāshim. Assertions that he “related few prophetic traditions” and was “a master of (religious) science and oral transmission” do little to set him apart from other trustworthy men of the period noted for their learning. The IS base narrative also absolves the Umayyads of any involvement in Abū Hāshim's death, suggesting that he died of natural causes in the presence of Muḥammad b. 'Alī. The *waṣiyya* is depicted as a normal procedure at the death of a close relative; overtly tendentious and polemical elements play no significant role. Ibn 'Asākir explains Abū Hāshim's decision to make Muḥammad b. 'Alī his heir by noting that the latter had no male offspring.

b. *Polemics*

The IS base narrative appears to preserve a subtle, pro-Umayyad polemic based largely on the omission of information. It never accepts the prominent stature of Abū Hāshim outside the Shī'ī community and distinctly absolves the Umayyads of any blame. In the third/ninth century, Abū Hāshim's *waṣiyya* remained a charged topic with crucial implications for the legitimacy of the 'Abbāsīd dynasty. It was cited repeatedly in exchanges between al-Manṣūr and the 'Alid rebel, Muḥammad b. 'Abdallāh al-Nafs al-Zakiyya.²⁶ It is difficult to believe that the silence of the IS base narrative on the possibility of murder, and its refusal to implicate the Umayyads, were simply the result of

²⁵ Ibn 'Asākir, *Ta'rikh Dimashq*, 38:173. An investigation of the source of the IS base narrative poses many difficulties. The close relationship between Ibn Sa'd and al-Wāqidi (d. 207/823) raises the possibility that the IS base narrative derives from the latter, see EI², s.v. “Ibn Sa'd” (J. Fück). This idea remains conjectural because Ibn Sa'd does not explicitly acknowledge it. Moreover, we might expect al-Wāqidi's account to carry a more explicitly pro-'Abbāsīd spin, given his political involvement and the patronage he received from Hārūn al-Rashīd (EI² art. “al-Wāqidi” [J. Horowitz]). Similar problems recur in many of the base narratives discussed below. In a few instances (e.g., al-Haytham's relationship to the Y narrative) it is possible to offer probable conclusions regarding a base narrative's source material, but such cases are exceptional and rare.

²⁶ See, for example, al-Ṭabarī, *Ta'rikh al-rusul wa-l-mulūk*, 7:566–71; al-Mas'ūdī, *al-Tanbih*, 3:306–2; Ibn al-Athīr, *al-Kāmil*, 5:536–43; al-Balādhurī, *Ansāb al-ashraf*, 3:266–69; and al-Iṣbahānī, *Maqātil al-Ṭālibiyyīn*, 205.

abridgement or a lack of information. It is more likely that the decision to omit this material was purposeful.

Overall, the IS narrative mitigated the Umayyad dynasty's guilt in the murder of a prominent 'Alid while significantly elevating its status.²⁷ This dynamic was further evidenced by a lack of charismatic elements that might imply a divine 'Abbāsīd mandate to rule or that might emphasize the special status of Abū Hāshim.²⁸ The resulting account appears to represent a conscious decision on the part of Ibn Sa'd (or the original author of the IS base narrative) to offer a version of the *waṣīyya* that both rehabilitated the Umayyads and lowered (however slightly) the stature of the 'Abbāsīds through a selective exclusion of information.

2. *The Madā'inī Base Narrative*

a. *Texts*

The second base narrative (subsequently referred to as the M base narrative) of the *waṣīyya* accounts is ascribed to the Baṣran historian al-Madā'inī (d. 227/843?). While Madā'inī authored monographs on a variety of topics, his work has only survived in the form of excerpts in later chronicles. The basic features of the M base narrative include (a) an acknowledgement of Abū Hāshim as the leader of the Shī'a, (b) his encounter with an Umayyad caliph, either Sulaymān or al-Walīd, (c) an illness that strikes him in the course of a journey to the Ḥijāz, and (d) a non-charismatic description of the formal transfer of the movement's leadership.

Al-Balādhurī quotes three versions of the M base narrative, one of which is explicitly ascribed to al-Madā'inī and two that employ the same basic chronology. In the first of these, Abū Hāshim clashes with a suspicious Sulaymān b. 'Abd al-Malik who decides to detain him in Damascus.²⁹ The 'Alid is released on an especially hot day, at the peak of the afternoon heat. There is a suggestion of foul play after Abū Hāshim accepts a drink from a roadside tent, but no mention of

²⁷ The inclusion of the IS base narrative in Ibn 'Asākir is not surprising, given its subtle pro-Umayyad polemic. Paul Cobb has shown that Syrian historiographical tradition (as represented mainly by Ibn 'Asākir) continued to accord a degree of legitimacy to members of the Umayyad family well into the 'Abbāsīd period (*White Banners*, 43–51).

²⁸ Such elements are found in most of the base narratives discussed below.

²⁹ Balādhurī, *Ansāb*, 2:554.

poisoning or any official Umayyad involvement.³⁰ The *waṣiyya* consists of a declaration that the command now rests with Muḥammad b. ‘Alī and his descendants. Al-Balādhurī’s second account begins with a brief description of Muhammad b. al-Ḥanafīyya and his bequest of the imāmate to Abū Hāshim.³¹ The latter is poisoned on the road to al-Ḥijāz and, after falling mortally ill, heads to the ‘Abbāsīd estate in al-Ḥumayma. There he appoints Muḥammad b. ‘Alī as his successor, acquaints him with the Shī‘a, and offers important advice about the future course of events. Al-Balādhurī’s third version, ascribed to Qays b. al-Rabī‘, incorporates additional details including (a) the animosity between al-Walīd b. ‘Abd al-Malik and Abū Hāshim and (b) Abū Hāshim’s intended destination (Medina, although he became ill at al-Balqā’), but offers no specifics regarding the *waṣiyya*.³² In accordance with al-Madā’inī’s base narrative, this version absolves the Umayyads from any involvement in the ‘Alid’s death.

The account of the *waṣiyya* preserved by al-Iṣbahānī (d. 356/967) falls within the M base narrative and shares a number of similarities with the first of al-Balādhurī’s narratives.³³ In particular, Sulaymān meets Abū Hāshim and delays his departure until mid-afternoon. When the ‘Alid senses his impending death, he sends a messenger to Muḥammad b. ‘Alī, informing him of the situation and appointing him the new head of the Shī‘a. Al-Iṣbahānī’s narrative, however, differs from al-Balādhurī’s in (a) the allegation that Sulaymān dispatched an agent to poison Abū Hāshim, and (b) the claim that he died on the road (as opposed to in al-Ḥumayma) after Muḥammad b. ‘Alī had ridden out to meet him.

b. *Polemics*

Al-Balādhurī and al-Iṣbahānī use the M base narrative in different ways. The former takes a relatively neutral stance, leaving unanswered the question of Abū Hāshim’s legitimacy as imām. Specifically, al-Balādhurī precedes two of his accounts with the disclaimer that “the

³⁰ In a subsequent section of al-Balādhurī’s *Ansāb* (2:554–55), al-Madā’inī narrates a dispute over the inheritance of al-Ḥasan b. ‘Alī b. Abī Tālib which ends with the statement: “Sulaymān b. ‘Abd al-Malik poisoned Abū Hāshim.” It is not clear, however, whether this statement is ascribable to al-Madā’inī.

³¹ Balādhurī, *Ansāb*, 3:88.

³² *Ibid.*, 2:553–54.

³³ Iṣbahānī, *Maqātil*, 126.

Shī'a used to relate" and "the Shī'a allege," thereby distancing himself from the debate. He also emphasizes Abū Hāshim's surprise over the transfer of authority to the 'Abbāsids, suggesting that the change was prompted by practical concerns as opposed to a divinely-sanctioned course of events. Al-Iṣbahānī follows a similar line, recounting Abū Hāshim's claim to the imāmate while expressing his skepticism through the use of the phrase, "the Shī'a from Khurāsān assert."

More strikingly, al-Balādhurī's accounts do not directly accuse Sulaymān of murdering Abū Hāshim. While the caliph detains the 'Alid in Syria until the hottest part of the day, there is no indication of his involvement in the subsequent poisoning. This is particularly noteworthy when compared with al-Iṣbahānī's account which firmly implicates Sulaymān and describes his deployment of an assassin with a poisoned drink. The decision to include or exclude this detail from the larger narrative sheds light on both authors' intentions. Al-Balādhurī preserves accounts of the *waṣiyya* that reflect poorly on the Umayyads, alongside other accounts that reveal the animosity between Abū Hāshim and other prominent 'Alids.³⁴ While he was clearly aware of the accusations of murder, al-Balādhurī (perhaps as an 'Abbāsīd bureaucrat) was willing to spread the blame equally between both competitors to the ruling dynasty, the Umayyads and the 'Alids. On the other hand, al-Iṣbahānī, an ardent Zaydī, did not hesitate to implicate the Umayyads in the death of yet another prominent 'Alid.

The M base narrative demonstrates the malleability of a single template in advancing contradictory agendas. It is not clear whether (a) al-Balādhurī altered the original to fit his agenda, (b) al-Iṣbahānī added information to validate his views, or (c) both historians simply had access to different versions of al-Madā'inī. In the end, we are left with two iterations of the M base narrative: a largely neutral one that avoids implicating the Umayyads, and a condemnation of the dynasty through an acknowledgement of their role in the murder of Abū Hāshim.

³⁴ See, for example, Balādhurī, *Ansāb*, 2:554–55. These examples of internal 'Alid disputes effectively undermine the claims of the family as a whole by emphasizing their divisiveness and thereby reducing them to one party among a wide array of political pretenders.

3. *The Haytham b. ‘Adī Base Narrative*³⁵a. *Texts*

The third base narrative (subsequently referred to as the HA base narrative) is ascribed to the Kūfan author al-Haytham b. ‘Adī (206/821),³⁶ known for his close association with the ‘Abbāsīd court. Although this account survives only in excerpts, it is the most prevalent version of the *waṣiyya* in subsequent historical works.

The HA base narrative first appears in al-Balādhurī’s *Ansāb al-ashrāf* where it is explicitly attributed to Haytham b. ‘Adī.³⁷ Following a number of accounts consistent with the M template, al-Balādhurī offers a version of the HA base narrative which includes the following elements: (1) Abū Hāshim’s visit to Sulaymān, (2) the caliph’s awe and fear of the ‘Alid as “the one who was spoken of,” (3) a dramatic rendering of the murder plot orchestrated by Sulaymān, and (4) a change of caravan course with Abū Hāshim arriving in al-Ḥumayma before his death in order to present his *waṣiyya* directly to Muḥammad b. ‘Alī. As will become apparent in the remainder of this section, most historians supplement these basic elements with an array of additional (and often quite colorful) details.

Al-Ya‘qūbī’s account fits directly into the HA base narrative, though without explicitly acknowledging Haytham b. ‘Adī as its source.³⁸ The murder is the handiwork of an anonymous client dispatched by Sulaymān, in conjunction with members of the tribes of Lakhm and Judhām who offer Abū Hāshim milk as he passes through their territory. The account is detailed and elaborate, highlighted by a series of conversational exchanges between the thirsty ‘Alid and a number of tribesmen stationed along the road. Once he drinks the poison, Abū Hāshim is immediately aware of his mistake and orders a change of course from Palestine to al-Ḥumayma. He then delivers the *waṣiyya* to Muḥammad b. ‘Alī in a speech which predicts the rise of the ‘Abbāsīd family. Like most iterations of the HA base narrative, al-Ya‘qūbī’s account validates this prophecy by quoting specific Qur’ānic passages.

³⁵ This version of the *waṣiyya* is treated in detail by Lassner, *Islamic Revolution*, 55–71.

³⁶ EI², s.v. “al-Haytham b. ‘Adī” (C. Pellat); Ibn Ḥajar, *Lisān al-mīzān*, 6:209.

³⁷ Balādhurī, *Ansāb*, 2:555.

³⁸ Al-Ya‘qūbī, *Ta’rikh*, 2:296–98.

Ibn ‘Abd Rabbihi presents an account virtually identical to that of al-Ya‘qūbī, supplemented by information that clarifies ambiguities.³⁹ For example, when Abū Hāshim comments that Muḥammad b. ‘Alī’s two sons, both named ‘Abdallāh, will inherit political leadership (*khilāfa*), Ibn ‘Abd Rabbihi notes that “Muḥammad b. ‘Alī did not have a son named ‘Abdallāh at this time. [Later] there were born to him two sons from al-Ḥārithiyya. He named each of them ‘Abdallāh.” Ibn ‘Abd Rabbihi also uniquely prefaces his account with an examination of differences amongst the Shī‘a, in an effort to explain disputes over the identity of the imām. Al-Ya‘qūbī and Ibn ‘Abd Rabbihi occasionally differ in their presentation and organization of the episode, but similarities in their language, information, and basic structure suggest a common debt to the HA base narrative.

The extant edition of al-Ṭabarī’s *Ta’rikh al-rusul wa-l-mulūk* is the product of two incomplete manuscripts. This being the case, it is possible that the text that we possess today contains narrative gaps resulting from intentional alterations or defective transmission. In fact, Lawrence Conrad has shown that Ibn Khallikān routinely refers to a version of al-Ṭabarī’s *Ta’rikh* which has not survived and which appears to include a substantial amount of additional text.⁴⁰ It is not surprising, therefore, to find that al-Ṭabarī’s account of the *waṣiyya*⁴¹ differs dramatically from the narrative ascribed to him by Ibn Khallikān.⁴² While it is possible that both versions are authentic and reflect editorial changes made by al-Ṭabarī over time, the radically different polemical implications of each suggest subsequent alterations or omissions.

The prose of the *waṣiyya* account preserved in the surviving version of al-Ṭabarī is vague.⁴³ Although it mentions the imparting of secret knowledge to Muḥammad b. ‘Alī, it does not use the term *waṣiyya* and does not state clearly whether Abū Hāshim was ill at the time of the bequest. A curious sentence is attached to the end of the account, as Muḥammad b. ‘Alī responds to news of the transfer of authority by saying, “I already know, let no one hear it from you,” a statement

³⁹ Ibn ‘Abd Rabbihi, *al-‘Iqd al-farīd*, 5:218–20.

⁴⁰ Conrad, “Notes on al-Ṭabarī’s History.”

⁴¹ Ṭabarī, *Ta’rikh*, 10:23–24.

⁴² Ibn Khallikān, *Wafayāt*, 4:188. This is in addition to Ibn Khallikān’s preferred account.

⁴³ By contrast, the version of al-Ṭabarī preserved in Ibn Khallikān uses a succinct style, with fluid and straightforward prose that leaves little room for ambiguity.

which seems redundant. While the reader might expect Abū Hāshim, as the leader of the *Hāshimiyya*, to advise secrecy and caution, here it is Muḥammad b. ‘Alī who instructs his mentor to remain quiet. This behavior does not fit the master-student relationship which is said to have existed between the two men. As a whole, the problems and inconsistencies of the *waṣiyya* account in the extant text of al-Ṭabarī’s *Ta’rikh* raise serious doubts about its provenance.

The version of the *waṣiyya* ascribed to al-Ṭabarī by Ibn Khallikān, on the other hand, adheres to the HA base narrative, though with several major omissions. It begins with Abū Hāshim arriving in Damascus where he is received warmly by the caliph Sulaymān. He then resolves to travel to Palestine but is poisoned on the road, prompting a change of course to al-Ḥumayma. Once there, he counsels Muḥammad b. ‘Alī and introduces him to his loyal followers as the movement’s new leader. This account conforms to the basic chronology of the HA base narrative but it lacks the literary devices or prophecies found in the versions of al-Ya‘qūbī and Ibn ‘Abd Rabbihi. While al-Ṭabarī mentions the poisoned milk, the future role of ‘Abdallāh b. al-Ḥārithiyya, and Abū Hāshim’s final instructions for “what to do in al-Ḥumayma,” he does not offer any dramatic or detailed elaborations. Moreover, his narrative does not incorporate any conversation between Abū Hāshim and Muḥammad b. ‘Alī, and reduces the *waṣiyya* to a simple summary of advice. Although al-Ṭabarī’s text fits firmly within the HA paradigm, it evidences strong editorial intervention by the historian (or a later informant) and suggests a conscious decision to condense overtly polemical content.

Al-Mas‘ūdī’s depiction of the *waṣiyya* also conforms to the HA base narrative and includes Abū Hāshim’s visit to Sulaymān’s court, his poisoning on the road to Palestine, and the detour to al-Ḥumayma.⁴⁴ The account omits portents, and gives a summary of the secret information that Abū Hāshim passes on to Muḥammad b. ‘Alī. The details of the testament are left ambiguous.

He (Abū Hāshim) informed him (Muḥammad b. ‘Alī) of the secrets of the mission (*da‘wa*) and he acquainted him with the missionaries. He told him that the *khilāfa* would pass to his sons and that the affair [would pass] from them to Ibn al-Ḥārithiyya.

⁴⁴ Mas‘ūdī, *Tanbih*, 292–93.

Compared with other historians who use the HA base narrative, al-Mas'ūdī employs idiosyncratic vocabulary and unique grammatical constructions. Specifically, he uses a verb derived from the root *gh/d/w* rather than the more usual *'d/l* to describe Abū Hāshim's decision to change course and head to al-Ḥumayma. The curious phrase *ḍamma ilayhī*, denoting Sulaymān's decision to dispatch an assassin with Abū Hāshim's caravan, is also peculiar to al-Mas'ūdī's account. These limited examples suggest that al-Mas'ūdī assumed an active authorial role in constructing his account from existing information.

The final account resonant with the HA base narrative is preserved in the *al-Imāma wa-l-siyāsa* ascribed (apocryphally) to Ibn Qutayba.⁴⁵ The chronology of this narrative differs from the other versions, as Sulaymān arranges Abū Hāshim's murder before the latter's arrival in Damascus. After a brief and awkward exchange in which Abū Hāshim denies any involvement in a conspiracy to overthrow the Umayyads, Sulaymān allows him to depart and the 'Alid sets out near noon on an intensely hot day. Significantly, the decision to depart at this time is not ascribed to any coercion on the part of the caliph. Once on the road, Abū Hāshim is approached by a series of men offering him a variety of drinks until he is fatally tempted by milk. When he perceives his impending death, Abū Hāshim orders the caravan to hurry to Muḥammad b. 'Alī in al-Ḥumayma. His *waṣiyya* consists of a simple call to continue the struggle against the Umayyads and an acknowledgement that the fate of the movement now rests in the hands of the 'Abbāsids. There is no mention of any special secrets or information regarding future events.

b. *Polemics*

The HA accounts share a generally pro-'Abbāsīd bias and implicate the Umayyads in the murder of Abū Hāshim. They differ, however, in their polemical vigor, through their decision to include or to exclude portentous and prophetic elements that suggest a divine sanction

⁴⁵ Pseudo-Ibn Qutayba, *al-Imāma wa-l-siyāsa*, 1:109.

for ‘Abbāsīd rule. Al-Balādhurī, al-Ya‘qūbī⁴⁶ and Ibn ‘Abd Rabbihi⁴⁷ offer narratives characterized by strikingly pro-‘Abbāsīd tendencies. Sulaymān’s jealousy and fear provide ready motives for murder. The validity of Abū Hāshim’s imāmate is reflected in his special knowledge, such as his ability to sense the poison in his stomach and his recognition of the urgent need to reach al-Ḥumayma. The *waṣiyya* contains remarkably detailed information about the ‘Abbāsīd revolution, including the roles of particular tribes and cities, as well as the names of the future caliphs al-Saffāḥ and al-Manṣūr. These statements are meant to affirm ‘Abbāsīd legitimacy by depicting their rule as the inevitable will of God. The use of Qur’ān 2:259 (by al-Ya‘qūbī and Ibn ‘Abd Rabbihi) offers a divine rationale for the well-documented tardiness of ‘Abbāsīd political activity. Finally, the Umayyads acknowledge their own lack of legitimacy, going so far as to predict their own downfall. Before ordering the poisoning of Abū Hāshim, Sulaymān says (in different forms in the three texts), “I suspect he is none other than the one we have been told about.”

Al-Ṭabarī and al-Mas‘ūdī⁴⁸ offer shorter versions of the *waṣiyya* that embody a restrained pro-‘Abbāsīd polemic. Specifically, they give summaries of the machinations of the assassins and the text of the testament, producing narratives with a muted enthusiasm for ‘Abbāsīd political claims. Al-Ṭabarī, for example, notes that Abū

⁴⁶ The disappearance of the twelfth *imām*, Muḥammad al-Mahdī, in Sāmarrā in 264/878, heralded a new period of Imāmī quietism which gave Imāmīs such as al-Ya‘qūbī significant flexibility in their relations with political power. When faced with a choice between Umayyads and ‘Abbāsīds, al-Ya‘qūbī sided solidly with the latter, as we see in his affirmation of an account which legitimized ‘Abbāsīd rule. See Millward, “Al-Ya‘qūbī’s Sources,” and “The Adaptation of Men to Their Time.”

⁴⁷ As an Andalusian, Ibn ‘Abd Rabbihi was far removed from the debates of the eastern Islamic world, and did not need to affirm or to cast doubt on the legitimacy of ‘Abbāsīd rule. His choice of the HA base narrative was, accordingly, probably not influenced by considerations of political legitimacy. An indication of his method is provided by Brockelmann, who asserts that “the *‘Iqd* was a book of *adab* for which materials were drawn from the works of...authors who had assembled the elements of Arab culture” (EI² art. “Ibn ‘Abd Rabbihi”). Ibn ‘Abd Rabbihi’s primary purpose was to entertain the court in Cordova, and the sparse details of the IS base narrative or the summary style of the M base narrative would have done little to achieve this goal. Given this overtly literary aim, Ibn ‘Abd Rabbihi’s choice of the HA expanded version is not surprising.

⁴⁸ Al-Mas‘ūdī, known today for his “humanist” character, appears to have eliminated the explicitly tendentious dimensions of the *waṣiyya* account, while attempting to preserve its dramatic and literary elements.

Hāshim “informed [Muḥammad b. ‘Alī] regarding what he should do in al-Ḥumayma,” but does little to emphasize the soundness or prophetic nature of this advice. At the same time, he continues to ascribe to Abū Hāshim the prediction that both al-Saffāḥ and al-Manṣūr will become caliphs. Similarly, al-Mas‘ūdī limits Abū Hāshim’s advice to (a) a call for beginning missionary work in the year 100 AH and (b) a mention of the importance of al-Saffāḥ. Both historians retain an echo of the occult through their repeated references to Abū Hāshim’s special knowledge, but they significantly reduce his stature.

The version of the *waṣīyya* preserved in *al-Imāma wa-l-siyāsa* occupies a middle ground. On the one hand, it severely indicts the Umayyads, as Sulaymān resolves to kill Abū Hāshim before the latter has even appeared at the caliphal court. Moreover, the detailed and compelling murder narrative draws the reader in with a colorful description of the tactics employed by government agents intent on poisoning the ‘Alid. On the other hand, the *waṣīyya* is stripped of all its portents and is reduced to a simple transfer of leadership from one family to another. There is no suggestion that ‘Abbāsīd political power was divinely-ordained and inevitable.

Overall, the HA base narrative offers a sympathetic view of the ‘Abbāsids at the expense of the Umayyads. Although the original version of al-Haytham’s account cannot be decisively reconstructed, it served as the foundation upon which subsequent historians constructed accounts that took an array of positions with respect to ‘Abbāsīd claims. Some of these (such as al-Ya‘qūbī and Ibn ‘Abd Rabbihī) offered elaborate narratives which portrayed the ‘Abbāsids as the heirs to both the Prophet and the ‘Alids. Others (such as al-Ṭabarī and al-Mas‘ūdī) were more muted, acknowledging ‘Abbāsīd success but separating it from any connection with the divine.

4. *The Akhbār al-Dawla Base Narrative*

a. *Text*

The account of the *waṣīyya* preserved in the anonymous *Akhbār al-dawla al-‘abbāsiyya*⁴⁹ (subsequently referred to as the AA base nar-

⁴⁹ The best studies on the sources of the *Akhbār al-dawla al-‘abbāsiyya* remain Dūrī’s introduction to the 1971 edition of the text, and Daniel’s “The Anonymous History of the ‘Abbāsīd Family.” Despite its occasional citation of al-Balādhurī, Hishām b. al-Kalbī, and al-Zuhri, most of the *Akhbār*’s sources remain unknown. Dūrī notes

rative) is unique and more detailed than those of the other base narratives.⁵⁰ Abū Hāshim sets out from Damascus toward an unspecified destination and falls ill near al-Ḥumayma. As the gravity of his illness becomes evident, he summons Muḥammad b. ʿAlī (who is travelling with the caravan) and gives him a document, called *al-ṣaḥīfa al-ṣafrāʾ*, that predicts the ʿAbbāsīd revolution in exacting detail. Abū Hāshim also offers a verbal testament that has no parallel in other base narratives and includes several anecdotes in which the Prophet bestows special favors on al-ʿAbbās and predicts his family's rise to power. This account denies the poisoning of Abū Hāshim outright and attributes his death to the heartbreak he felt when scorned by al-Walīd.

The AA base narrative is not preserved in any other extant historical work. It is probable that the anonymous author maintained close links to the ʿAbbāsīd ruling family and intended to compile an "official" family history. The *Akhbār* offers a snapshot of the political and ideological challenges that confronted the ʿAbbāsīds. Specifically, their political legitimacy was immediately (and consistently) challenged by ʿAlīd rivals who claimed precedence based on (a) genealogy and (b) their suffering at the hands of the Umayyads in past rebellions.

b. *Polemics*

The AA account tries to reconcile divergent and contradictory historical claims in the course of a single cohesive narrative. It offers a moderate view of the Umayyads, absolving them of any direct involvement in Abū Hāshim's death. The anonymous narrator states, "some people claim (*zaʿama*) that the reason for the death of Abū Hāshim was that, when he departed from Damascus, al-Walīd surreptitiously sent someone who gave him a drink of poisoned milk.... Ishāq b. al-Faḍl and others who related [about] the matter do not mention this." The AA account also grants the Umayyads an honored place in the succession

that "several of these authorities are very shadowy figures or cannot be identified at all.... They were essentially political or secular personalities who were outside the circle of... religious traditionalists" (cf. Daniel, "The Anonymous History," 422). The *Akhbār*'s list of cited sources is large and diverse: only ten authorities are cited more than once and none are cited more than ten times. The polemics in the text support an "official" origin in which the *Akhbār* circulated as propaganda for the ʿAbbāsīds against their ʿAlīd rivals. This further suggests, in turn, an early date of composition, at a time when ʿAbbāsīd political legitimacy was still contested.

⁵⁰ Anon., *Akhbār al-dawla al-ʿabbāsiyya*, 173–79.

of Islamic rulers, recounting a dream (ascribed to 'Alī b. Abī Ṭālib) in which they eat from the Prophet's table "for a very long time" before giving way to the 'Abbāsids. Overall, the account praises the Umayyads through implicit references (such as 'Alī's dream) and dismisses accusations against them as baseless.

The AA base narrative also stands apart from the other *waṣīyya* accounts through its avidly anti-'Alid polemic. The other texts, even those of Shī'ī-leaning historians such as al-Ya'qūbī and al-Mas'ūdī, do not address 'Alid claims vis-à-vis the 'Abbāsids. The AA account, on the other hand, directly confronts these claims by invoking the authority of two of the twelve Shī'ī imāms, namely 'Alī b. Abī Ṭālib and al-Bāqir. The latter confirms 'Abbāsīd possession of *al-ṣaḥīfa al-ṣafrā'* and summarizes its contents, detailing the events leading up to the 'Abbāsīd revolution. In the first of 'Alī's two narratives, the Prophet entrusts al-'Abbās with secret instructions. When 'Alī is distressed by this development, Muḥammad says, "'Alī! Take it easy. The only share of the authority you will have after me is a miserable one." Thus, 'Alī is made to recall an episode that rejects his family's claims to political power. In 'Alī's second narration, he describes a dream in which the first three caliphs, the Umayyads and the 'Abbāsids all eat from a great table in the Prophet's mosque. Muḥammad interprets the dream by saying, "Praise unto God who opened Islam by means of us and will seal it by means of us," thereby affirming the status of both the 'Abbāsids and the 'Alids as members of his immediate family. This point is especially important, given the 'Alids' claim that they alone inherited the Prophet's political authority. The dream ends with 'Alī's observation that "I did not eat with them," emphasizing that the 'Alids have no role in the governance of the state. This complex weaving of polemic contests the claims of the 'Alids by quoting their own highest authorities to validate 'Abbāsīd rule.

The AA base narrative incorporates two contradictory arguments for 'Abbāsīd political legitimacy. On one hand, it asserts that the 'Abbāsīd right to rule stemmed from the importance of the Prophet's uncle and their own patriarch, al-'Abbās. At the same time, it accepts and integrates a pre-existing strand of pro-'Abbāsīd polemic that follows a fundamentally different logic. If the author of the *Akḥbār* had thought that an argument based on al-'Abbās's relationship with the Prophet was sufficient, he would not have needed to include the story of *al-ṣaḥīfa al-ṣafrā'* or to extol Abū Hāshim. The dramatic scene in

which the 'Alid imparts his *waṣiyya* to Muḥammad b. 'Alī betrays both an acknowledgement of 'Alid authority and an attempt to reduce its importance by depicting its voluntary transfer to the 'Abbāsids. The incorporation of such an argument suggests that 'Alid claims remained popular at the time of its composition and that the 'Abbāsids felt the need to stress their connection to 'Alī b. Abī Ṭālib, the source of 'Alid legitimacy. The text vigorously emphasizes the equality of Muḥammad b. al-Ḥanafīyya with al-Ḥasan and al-Ḥusayn. After 'Alī's death, Ibn al-Ḥanafīyya appeals to his brothers, "If the Messenger of God, the prayers and peace of God upon him, did not give birth to me, then [at least] your father did.... The two of you know the love he bore me." Al-Ḥasan and al-Ḥusayn then offer their brother *al-ṣaḥīfa al-ṣafrā'* which physically embodies the link between Abū Hāshim and the authority of his grandfather 'Alī. In this manner, the AA base narrative confirms 'Abbāsīd political legitimacy on two seemingly contradictory grounds: (a) al-'Abbās' relationship to the Prophet, and (b) the inheritance of 'Alī through Abū Hāshim.

The fact that the Umayyads fare better here than the 'Alids suggests a later dating for the AA account than that of the M or HA base narratives. Specifically, the polemic is directed against 'Alid claims, indicating that the primary challenges to 'Abbāsīd legitimacy at the time of its composition were 'Alid, rather than Umayyad, in nature.⁵¹ The AA text also supports the assertion that al-Mahdī consciously decided to shift the focus of 'Abbāsīd polemic away from the *waṣiyya* of Abū Hāshim and toward the relationship between the Prophet and al-'Abbās.⁵² The reason for this and other iterations in polemic are difficult to decipher, but they likely mirror the eclectic religious claims of the 'Abbāsids which varied from the hostile anti-'Alid views of al-Manṣūr to the reconciliatory stance ascribed to al-Mā'mūn.⁵³

⁵¹ Umayyad political challenges were increasingly regionalized and lacked the grand aspirations of the 'Alids. The Umayyads were eventually reduced to local Syrian notables, see Cobb, *White Banners*, 64–5, 78–82, 92–97.

⁵² Sharon, *Black Banners*, 83, 86, 99; Crone, *Slaves*, 69. For the Manṣūrīd tendencies embedded in the *waṣiyya* narrative as a whole, see Lassner, *Islamic Revolution*, 55–61.

⁵³ For the evolution of these claims, see Sharon, *Black Banners*, 85–99; Crone, *Slaves*, 68–71; eadem, "On the Meaning of the 'Abbāsīd Call to al-Riḍā," 95–111.

5. *The Ibn al-Athīr Base Narrative*

a. *Text*

The fifth and final base narrative (subsequently referred to as the IA base narrative) preserved in Ibn al-Athīr's *al-Kāmil fī l-ta'rikh*, and begins with Abū Hāshim visiting Sulaymān in Damascus where he arouses feelings of jealousy and fear.⁵⁴ The caliph then dispatches an assassin to poison Abū Hāshim in the course of his journey to an unspecified destination. Upon falling ill, the 'Alid travels to al-Ḥumayma where he places Muḥammad b. 'Alī in charge of his clandestine organization and offers him practical advice. On the surface, the account seems to fall under the HA base narrative, but it differs in several important ways. First, instead of discussing an exchange of special knowledge or important documents, it frames the *waṣiyya* as a standard bequest from one family member to another. Second, there is no portentous significance associated with the transfer of Abū Hāshim's secret organization to Muḥammad b. 'Alī. Although the text names twelve deputies, in analogy with the Prophet Ibrāhīm (a detail present in al-Yaq'ūbī's version of the HA base narrative), Ibn al-Athīr includes no direct information on future events and does not cite Qur'ānic verses to affirm the divinely-ordained inevitability of 'Abbāsīd rule.⁵⁵ Ibn al-Athīr's account is further distinguished by his curious assertion that Abū Hāshim had *previously* ordered his Shī'a to follow Muḥammad b. 'Alī, a detail which does not occur in any other text. Although Ibn al-Athīr

⁵⁴ Ibn al-Athīr, *Kāmil*, 5:53–54. Modern attempts at a comprehensive study of the *Kāmil* have suffered from Ibn al-Athīr's "failure to identify his sources" (EI² art. "Ibn al-Athīr" [F. Rosenthal]). Goitein stresses Ibn al-Athīr's reliance on al-Ṭabarī but the poisoning and *waṣiyya* narratives preserved in Ibn al-Athīr bear no resemblance to those that we find in al-Ṭabarī. Goitein also notes that Ibn al-Athīr often drew on al-Balādhurī to supplement al-Ṭabarī where the latter was lacking in detail. A comparison between the *Ansāb* and the *Kāmil*, however, reveals no overlap (Goitein, Introduction to Balādhurī's *Ansāb*, 5:25). Ibn al-Athīr's source for the *waṣiyya* account remains unclear. It is possible that he had a more complete version of al-Ṭabarī than we possess today. The implications of such a conclusion would be far-reaching, for if Ibn Khallikān and Ibn al-Athīr did have larger and more complete versions of al-Ṭabarī than the one that we have, and if our version of al-Ṭabarī underwent major revisions, including the suppression of certain information, then we must approach the surviving text of Ṭabarī's *Ta'rikh* with renewed caution. See Conrad, "Notes on al-Ṭabarī's History".

⁵⁵ The last part of the account consists of a long list of names and a summary of Muḥammad b. 'Alī's subsequent actions taken directly from al-Ṭabarī's *Ta'rikh*, 2:1358.

assumes some elements of the HA base narrative, both its prose and its content suggest an independent provenance.

b. *Polemics*

While the actual origins of the IA base narrative remain uncertain, it was probably in circulation much earlier than the seventh/thirteenth century. Rather than consciously crafting a new polemical base narrative regarding an issue (i.e., ‘Abbāsīd political legitimacy) that had lost its political importance centuries earlier, Ibn al-Athīr likely relied on earlier written sources that have not survived into the modern period. Overall, the IA account is characterized by a moderate pro-‘Abbāsīd tendency. The Umayyads are implicated in the murder of Abū Hāshim for reasons of fear and jealousy. Abū Hāshim retains his dignity as the distinguished and “eloquent” leader of a small group of Shī‘a, and possesses both the instincts to recognize the plot against him and the foresight to have a plan for succession in place.

The word *waṣiyya* is noticeably absent in Ibn al-Athīr’s text. The episode has the character of a formal transition in the leadership of an organization, as opposed to a transfer of religious authority. Indeed, this lack of enthusiasm follows from the complete absence of portents and of outright polemic. The IA base narrative refrains from praising Muḥammad b. ‘Alī, limiting his role to writing “a letter to serve as an example and a model” for his followers. In comparison with the other base narratives, Ibn al-Athīr dampens the pro-‘Abbāsīd character of the episode. The result is an account oriented towards conveying “fact” rather than polemic.

6. *Summary*

Each of the *waṣiyya* accounts conforms to one of five main base narratives that vary in terms of content, structure, and polemic (see chart #1 below). The account preserved in the earliest extant historical text, the IS base narrative, consists of short statements with mild pro-Umayyad or (at the very least) muted pro-‘Abbāsīd tendencies.⁵⁶ The most widespread base narrative (HA) harbors a strong pro-‘Abbāsīd

⁵⁶ Although the *Ṭabaqāt* has an early date, it was supplemented following Ibn Sa‘d’s death. The amount of material that was subsequently added is not clear. See EI², s.v. “Ibn Sa‘d” (J. Fück).

and anti-Umayyad bias. The three remaining variants (M, AA, and IA) include both unique details and distinctive polemics. The seemingly neutral M narrative leaves the reader with a great deal of latitude in interpretation and actively avoids taking a stance with respect to the Umayyads. The AA narrative is a curious mix of contradictory polemics directed primarily against 'Alid political claims. The IA narrative assumes a dampened (and unenthusiastic) pro-'Abbāsīd view, but eliminates tendentious elements to the point of even avoiding the term *waṣīyya*.⁵⁷

II. *The Late Mamlūk Sources*

After the destruction of the 'Abbāsīd caliphate in Baghdad at the hands of the Mongols in the seventh/thirteenth century, debates over the dynasty's legitimacy no longer held immediate polemical importance. Consequently, Mamlūk historians wielded substantial discretion in constructing their accounts of the death of Abū Hāshim and his alleged *waṣīyya* to Muḥammad b. 'Alī. These scholars were aware of most, if not all, of the base narratives detailed above, and they made deliberate choices in incorporating certain details and excluding others. This section will examine three such Mamlūk accounts, those of Ibn Khallikān (d. 681/1282), al-Nuwayrī (d. 733/1333), and al-Maqrīzī (d. 843/1441), with an eye towards ascertaining the process through which some base narratives won scholarly acceptance while others were discarded.

1. *Ibn Khallikān*

In his *Wafayāt al-a'yān*, a biographical dictionary covering a multitude of historical figures, Ibn Khallikān includes two versions of the *waṣīyya* of Abū Hāshim.⁵⁸ The first (as discussed above) is an excerpt

⁵⁷ While this analysis draws sharp boundaries between the base narratives, these did not develop in isolation from one another. Once in circulation, a polemic assumed a life of its own. After the 'Abbāsīds claimed a right to rule based on the *waṣīyya*, they could not simply remove that argument from the political debate. Although they continued to advance new arguments and polemics to support their claims, it is not clear whether they ever tried explicitly to reject a previous polemical claim. An analysis of this process lies beyond the scope of this study.

⁵⁸ Ibn Khallikān, *Wafayāt*, 4:187. This narrative is in addition to a second account explicitly ascribed to al-Ṭabarī, discussed above as part of the HA base narrative. See EI², s.v. "Ibn Khallikān" (J. Fück).

Chart #1: The Early Textual Sources—Polemical Comparison

<i>Base Narrative</i>	<i>Murder?</i>	<i>Colorful Murder Account?</i>	<i>Waṣiyya</i>	<i>Overall Polemic</i>
IS	No.	No.	1. Formal transfer of documents/books. 2. Minimal knowledge of future events.	Mildly positive view of the ‘Abbāsids stripped of charismatic elements. Positive (or simply non-negative) view of the Umayyads.
M	Al-Balādhurī: Yes but murderer unspecified.	Al-Balādhurī: No.	Al-Balādhurī: 1. Brief, consisting of advice. 2. Summarized allusions to future events.	Al-Balādhurī: generally neutral with no implications of Umayyad guilt or ‘Abbāsīd destiny.
	Al-Iṣbahānī: Yes, Sulaymān.	Al-Iṣbahānī: No.	Al-Iṣbahānī: 1. Messenger sent to al-Ḥumayma. 2. No knowledge of future events.	Al-Iṣbahānī: anti-Umayyad but careful not to acknowledge privileged status of the ‘Abbāsids.
HA	Yes, Sulaymān.	Yes, except for al-Ṭabarī and al-Mas‘ūdī.	1. Oral instructions. 2. Detailed knowledge of future events. Except: al-Ṭabarī and al-Mas‘ūdī.	Positive view of the ‘Abbāsids and negative view of the Umayyads through implication in Abū Hāshim’s murder.
AA	No and with explicit rejection of poisoning claims.	No.	1. A written document (<i>al-ṣaḥīfa al-ṣafrā’</i>) and oral instructions including several dreams. 2. Detailed knowledge of future events.	Pro-‘Abbāsīd with multiple arguments for their political legitimacy. The Umayyads are rehabilitated and the polemic is primarily directed against ‘Alid claims.
IA	Yes, Sulaymān.	No.	1. No explicit mention of the <i>waṣiyya</i> . The text suggests only a few words of counsel. 2. No knowledge of future events.	Moderately pro-‘Abbāsīd in supporting the dynasty’s political claims but stripped of charismatic elements. The Umayyads are the primary targets.

ascribed to al-Ṭabarī, while the second has no attribution and likely represents Ibn Khallikān's own views. This second account draws primarily from the IS and M base narratives.

The first part of the Ibn Khallikān's account is taken directly from al-Balādhuri's version of the M base narrative.⁵⁹ He mentions the existence of a group of Shī'a who considered Muḥammad b. al-Ḥanafīyya the rightful successor to al-Ḥusayn (a fact implicit in al-Balādhuri's text) and summarizes the passage discussing the transfer of the imāmate to Abū Hāshim. Both this material and the manner of its presentation are unique to the M base narrative.

The second part of Ibn Khallikān's text follows the IS base narrative.⁶⁰ Abū Hāshim's final words to Muḥammad b. 'Alī are virtually identical to those found in Ibn Sa'd's *Ṭabaqāt*, and both accounts present their information in the same order, mirroring each other sentence by sentence. The details surrounding the 'Alid's death also evidence a close link as each text (a) notes the historical relationship between Abū Hāshim and the Shī'a and (b) claims that he died in al-Shām without elaborating on the cause of his illness.

The remainder of Ibn Khallikān's account is not germane to the *waṣīyya* of Abū Hāshim. It traces the subsequent transfer of the imāmate from Muḥammad b. 'Alī to his descendants and details the critical events that enabled the 'Abbāsīd revolution to succeed. The relevant portions draw on the IS and M base narratives which (a) did not accept the poisoning accusation against the Umayyads, and (b) notably avoided the most tendentious and polemical details of the narrative. The resulting account shows evidence of pro-Umayyad (or at least not anti-Umayyad) tendencies, and is generally neutral with regard to the 'Abbāsīds.

2. *Al-Nuwayrī*

Al-Nuwayrī cites Ibn al-Athīr's *al-Kāmil* as the primary source for the *waṣīyya* narrative preserved in his eighth/fourteenth-century encyclopedic work *Nihāyat al-arab fī funūn al-adab*.⁶¹ A close reading of the

⁵⁹ See Selection #1 in the Appendix for the parallel texts.

⁶⁰ See Selection #2 in the Appendix for the parallel texts.

⁶¹ Al-Nuwayrī, *Nihāyat al-arab*, 19:23–55, 23:10–12. Al-Nuwayrī's work is divided into five sections, of which the last and longest consists of a universal history. Although he cites his sources, he does not offer detailed chains of transmission. The *Nihāya* is

text, however, reveals a startling difficulty. The information, structure, and style of most of al-Nuwayrī's account shares absolutely no similarities with that of Ibn al-Athīr. Rather, it is taken almost completely from the HA base narrative of either 'Abd Rabbihi's *Iqd* or a common earlier source.

Both al-Nuwayrī and Ibn 'Abd Rabbihi begin with a general discussion of the imāmate and Abū Hāshim's visit to the Umayyad court in Damascus.⁶² They are the only historians who mention (and dismiss) the Imāmī Shī'ī line of succession that differs from the Kaysānī line.⁶³ Al-Nuwayrī omits superfluous information but preserves both the sequencing and phrasing of Ibn 'Abd Rabbihi's text.⁶⁴ The poisoning account in al-Nuwayrī incorporates the entirety of the HA base narratives of al-Ya'qūbī and Ibn 'Abd Rabbihi, including the pitching of tents on the road to Palestine, the tactics used to poison Abū Hāshim, and the detour to al-Ḥumayma. Abū Hāshim expresses the same astonishment upon his discovery of the plot and the same pessimism regarding his chances of reaching Muḥammad b. 'Alī in time.

Al-Nuwayrī's version of Abū Hāshim's final statement follows Ibn 'Abd Rabbihi almost verbatim.⁶⁵ Once again, both accounts present identical information in an identical manner. Even al-Ya'qūbī, who offers the same information as al-Nuwayrī and Ibn 'Abd Rabbihi, presents it in a different order and with different vocabulary. The reference to regions that come under 'Abbāsīd rule and the allusion to an important "tribal grouping" from Yemen are unique to Ibn 'Abd Rabbihi and al-Nuwayrī. The first part of al-Nuwayrī's account ends with an explanation of the ambiguous term "year of the donkey," as do the HA accounts in general.

In the second part of his narrative, al-Nuwayrī turns to the structure and dynamics of the Kaysānī organization in Kūfa and Khurāsān.

intended primarily as a work of *adab*, as al-Nuwayrī acknowledges in the introduction of the text. See EI², s.v. "Al-Nuwayrī" (M. Chapoutot-Remadi).

⁶² See Selection #3 in the Appendix for the parallel texts.

⁶³ Both accounts acknowledge the Imāmī view that after the death of al-Husayn b. 'Alī, the imāmate passed "to 'Alī b. al-Ḥusayn, then to Muḥammad b. 'Alī, (and) then to Ja'far b. Muḥammad." This is countered by the view "upon which most agree," whereby the imamate passed from al-Ḥusayn to Muḥammad b. al-Ḥanafiyya, and ultimately to Abū Hāshim.

⁶⁴ For example, he omits the following statement about the flow of money from the Kaysānīs to their leader: "They (the Shī'a) discharged the *kharāj* to him until Sulaymān b. 'Abd al-Malik became caliph."

⁶⁵ See Selection #4 in the Appendix for the parallel texts.

It is only in this part of his narrative that al-Nuwayrī relies on Ibn al-Athīr. Beginning with the sentence, “He had previously informed his Shī‘a in Khurāsān and Iraq during their frequent visits to him that the authority fell to Muḥammad b. ‘Alī,” al-Nuwayrī quotes *al-Kāmil* almost verbatim.

Al-Nuwayrī’s version of the *waṣīyya* incorporates both the HA and the IA base narratives. By according the central position to HA, however, he offers a markedly pro-‘Abbāsīd account replete with prophecies and polemics.

3. *Al-Maqrīzī*

In his *Kitāb al-muqaffā al-kabīr*, al-Maqrīzī offers two separate versions of Abū Hāshim’s *waṣīyya*.⁶⁶ The first of these draws on the M base narrative and relies largely on al-Balādhurī’s *Ansāb* as reflected in numerous linguistic and grammatical similarities.⁶⁷ This is supplemented by a few additional details including advice in which Abū Hāshim warns Muḥammad b. ‘Alī to avoid Syria and to concentrate on Khurāsān. Overall, the text projects a polemic aligned with al-Balādhurī’s iteration of the M base narrative.

Al-Maqrīzī’s second version of the *waṣīyya* utilizes the HA and IA base narratives. Abū Hāshim’s final testament to Muḥammad b. ‘Alī follows al-Ya‘qūbī’s account closely, with only a few minor linguistic and grammatical differences.⁶⁸ At one point, al-Maqrīzī excludes a large section of prose (dealing mostly with administrative matters), which shows his active editorial involvement. On the whole, however, this account preserves the primary elements of the HA base narrative, while excising its overtly polemic details. When al-Maqrīzī describes Abū Hāshim’s arrangements for the transfer of his clandestine infor-

⁶⁶ Al-Maqrīzī, *Kitāb al-muqaffā*, 4:124–25. Maqrīzī was a ninth/fifteenth-century Egyptian bureaucrat who retired from public life to pursue his historical interests, producing a numerous works including the *Muqaffā*, an incomplete biographical compendium. The primary source for most of al-Maqrīzī’s Egyptian material was al-Awḥadī (d. 811/1408) while the remainder of the work presumably drew on the Egyptian and Syrian historical tradition as a whole. See EI², s.v. “al-Maqrīzī” (F. Rosenthal).

⁶⁷ For example, when referring to Abū Hāshim’s poisoning, al-Balādhurī uses the second verbal form of the root *smm*, while al-Maqrīzī uses the passive of the first form. See Selection #5 in the Appendix for the parallel texts.

⁶⁸ See Selection #6 in the Appendix for the parallel texts.

mation, he relies almost exclusively on Ibn al-Athīr.⁶⁹ This parallel is evidenced by the use of virtually identical prose in the two versions.

Although al-Maqrīzī accepts information from al-Balādhurī (the M base narrative) and Ibn al-Athīr (the IA base narrative) without reservation, he expresses skepticism regarding al-Ya‘qūbī’s account (the HA base narrative) through the phrase, “It is said that.” His reasons for using a version of the *waṣiyya* that he deemed either unreliable or problematic are unclear. For the most part, al-Maqrīzī expresses a clear preference for the relatively simple and unadorned style of the M and IA accounts.

4. *From Polemics to History*

This analysis of the accounts preserved by Ibn Khallikān, al-Nuwayrī, and al-Maqrīzī provides insights into the process through which a broadly-accepted historical narrative of the *waṣiyya* emerged in the later historical tradition. Ibn Khallikān and al-Maqrīzī (in particular) deemphasized tendentious and overtly polemical elements, favoring accounts with either restrained or relatively neutral polemics. The M base narrative, with its rejection of transparent pro-Abbāsid polemic and its veneer of neutrality, earned the approval of both scholars. Ibn Khallikān also expresses a preference for the IS base narrative, which mirrored the M base narrative in its rejection of overt polemic. Al-Maqrīzī and al-Nuwayrī drew upon the IA account, despite its moderate pro-‘Abbāsid bias, for historical information not found in the other texts.

The victory of the IS, M, and IA base narratives, however, was not complete as the HA base narrative (exemplified by al-Ya‘qūbī and Ibn ‘Abd Rabbihi) also survived into the Mamlūk period. Al-Nuwayrī in particular quoted almost the entirety of Ibn ‘Abd Rabbihi’s account in his mammoth literary-historical work. The presence of the HA base narrative in al-Nuwayrī suggests its availability to both Ibn Khallikān and al-Maqrīzī, both of whom chose to omit it.⁷⁰ As Mamlūk historical tradition settled on a broad consensus regarding the historicity (and even the details) of Abū Hāshim’s *waṣiyya*, the HA base narrative was not accorded the authoritative status of the M or IS base narratives.

⁶⁹ See Selection #7 in the Appendix for the parallel texts.

⁷⁰ While Maqrīzī’s second account includes parts of the HA base narrative, he prefaces these with strong reservations.

The other highly polemical account, the AA base narrative, also did not find expression or influence in any major Mamlūk historical work.

These late historians subjected the work of their predecessors to a high degree of criticism. To their credit, they sifted out overtly polemical accounts in an attempt to arrive at an authoritative version of the past stripped of potentially dubious political and religious claims. Although it appears from the above analysis that the Mamlūk historians were drawing on the original texts of al-Balādhurī or al-Yaʿqūbī, they may have received their information in an edited form from intermediary Egyptian and Syrian works which drew from the original texts. We cannot be sure of the breadth of early textual material available to Ibn Khallikān, al-Nuwayrī, or al-Maqrīzī, as the work of editing information and of building a shared history may have been carried out well before they set foot on the historical stage.⁷¹

III. Conclusion

There is considerable debate surrounding the historical veracity of the *waṣīyya* of Abū Hāshim. This event, a central pillar of the political narrative forwarded by the ʿAbbāsids to justify their rule, was subjected to competing interpretations by rival political and religious parties. Attempts at excavating the original details of the incident (if it ever actually took place) are further complicated by the non-contemporaneous nature of extant historical sources which postdate the *waṣīyya* by two to three hundred years. While such complications may place the historical veracity of the incident beyond reach, they do not rob the account of historical value.

The first part of this study, drawing on the work of Lassner and other modern scholars, decoded the polemical arguments embedded within the historical texts, revealing a complex spectrum of views, from the overtly pro-ʿAbbāsīd and anti-ʿAlīd stance of AA to the largely neutral position of M. This exercise demonstrates the usefulness of one of the methods available to modern historians of the early Islamic period, namely, analysis through the lens of political and religious propaganda. The historian who takes this approach may find hidden symbols or allusions within a given text which he may

⁷¹ These conclusions apply specifically to the Mamlūk historical tradition. None of the later historians in this study are from the eastern Islamic world.

interpret as polemical signposts, revealing the primary political and religious debates contemporaneous with the creation or compilation of a particular account.

The second part of this study examined the manner in which the early base narratives were used later on by Mamlūk scholars in the crafting of their own historical works. In many cases, these scholars simply stripped early accounts of their supernatural and polemical elements and assumed the historical veracity of the remainder. While this was a reasonable attempt at creating a shared “probable” narrative of the early period, it did not address the deeper methodological problems within the source material. In fact, not a single Mamlūk historian expressed any doubt about the veracity of the *waṣiyya* incident as a whole. This should serve as a warning against anachronistically assuming that later Mamlūk scholars worked through early Islamic historical texts with the same analytic assumptions as those employed by modern historians. Overall, this study argues for a fundamental reevaluation of how modern scholars engage with and utilize the wide breadth of early Islamic historical works.

APPENDIX

1.A. *Ibn Khallikān*

The reason for the transfer of the authority to him [Muḥammad b. ‘Alī] was that the Shī‘a believed that Muḥammad b. al-Ḥanafīyya—who has been mentioned previously—was the imām after his brother al-Ḥusayn, may God be pleased with him. When Muḥammad b. al-Ḥanafīyya passed away, the authority passed to his son Abū Hāshim, who has also been mentioned previously in the biography of his father.

1.B. *Al-Balādhurī*

The Shī‘a used to relate that the imām was Muḥammad b. ‘Alī. It is thought that he was the son of al-Ḥanafīyya. When Ibn al-Ḥanafīyya died, they said, “The imām is his son ‘Abdallāh b. Muḥammad b. Alī,” meaning Abū Hāshim.

2.A. *Ibn Khallikān*

The Shī‘a continually visited him (Abū Hāshim). He died in al-Shām in the year 98 AH without any offspring. He gave his *waṣīyya* to the aforementioned Muḥammad b. ‘Alī, saying to him, “You are the one who possesses this authority and it [shall be] with your sons.” He (also) presented his documents to him and directed the Shī‘a towards him.

2.B. *Ibn Sa‘d*

The Shī‘a used to meet with him (Abū Hāshim) and took him as their *walī*. [When] he was in al-Shām with the Banū Hāshim, he died. He gave his *waṣīyya* to Muḥammad b. ‘Alī b. ‘Abdallāh b. ‘Abbās b. ‘Abd al-Muṭṭalib and said, “You are the one who possesses authority and it shall be with your sons.” He directed the Shī‘a toward him and presented [him] his documents and his (prophetical) traditions.

3.A. *Al-Nuwayrī*

The authority of the Shī‘a after the murder of al-Ḥusayn b. ‘Alī (may God, the Exalted, be pleased with them both) had passed to his brother Muḥammad b. al-Ḥanafīyya, although some historians say that it had passed to ‘Alī b. al-Ḥusayn, then to Muḥammad b. ‘Alī al-Bāqir, (and) then to Ja‘far b. Muḥammad. But that which most agree upon is that Muḥammad b. al-Ḥanafīyya gave his *waṣīyya* to his son Abū Hāshim. He (Abū Hāshim) continued to exercise authority over the Shī‘a. When, during the reign of Sulaymān b. ‘Abd al-Malik, he (Abū Hāshim) came to him, Sulaymān honoured him. He said, “I never suspected a Qurashī could be similar to this,” and he fulfilled his needs.

3.B. *Ibn ‘Abd Rabbihi*

When al-Ḥusayn b. ‘Alī was killed, the authority of the Shī‘a passed to Muḥammad b. al-Ḥanafīyya; some say [it passed] to ‘Alī b. al-Ḥusayn, then

to Muḥammad b. 'Alī, (and) then to Ja'far b. Muḥammad. But most agree that Muḥammad b. al-Ḥanafīyya gave his *waṣiyya* to his son Abū Hāshim 'Abdallāh b. Muḥammad b. al-Ḥanafīyya. He continued exerting authority over the Shī'a, as they visited him and he directed their affairs. They discharged the *kharāj* to him until Sulaymān b. "Abd al-Malik became caliph. He (Abū Hāshim) came to him (Sulaymān) with a delegation which included a number of the Shī'a. After speaking with him Sulaymān said, "I have never spoken to a Qurashī similar to this [man]. We cannot but think that what we heard about him is true." So he gave him presents and fulfilled his needs and the needs of those who were with him.

4.A. *Al-Nuwayrī*

Paternal cousin, I am dying, and you are the one who possesses this authority. And your son, Ibn al-Ḥārithīyya, is the one who will undertake it, and then his brother after him. By God, this authority will not be made complete until black banners emerge from Khurāsān. Then it (the authority) will surely triumph over that which is between Ḥadramawt and the far reaches of Ifrīqiya and everything between al-Hind and the far reaches of Farghāna. Look to these Shī'a. They are your missionaries and your helpers. Let your mission be in Khurāsān. And let this authority encompass the tribal grouping from Yemen, for if a kingdom is not founded upon them, its power [is destined] to collapse as is their (the tribal grouping's) power.

4.B. *Ibn 'Abd Rabbihī*

Paternal cousin, I am dying. I have come to you, for you are the one who will possess this authority, and your son, who will undertake it, and then his brother after him. God will surely make this authority complete so that black banners will depart from the depths of Khurāsān. Then it (the authority) will surely triumph over that which is between Ḥadramawt and the far reaches of Ifrīqiya and everything between al-Hind and the far reaches of Farghāna. Look to these Shī'a. Make them your close associates for they are your missionaries and helpers. Let your mission be in Khurāsān, especially in Marv, and do not go beyond it. Get to know this tribal grouping from Yemen well. The destiny of any kingdom which is not founded is to collapse.

5.A. *Al-Maqrīzī*

The Shī'a used to relate that the imām was Muḥammad b. 'Alī, supposing him to be the son of al-Ḥanafīyya. When Ibn al-Ḥanafīyya died, they said, "The imām is his son Abū Hāshim 'Abdallāh b. Muḥammad." When Abū Hāshim was poisoned on his journey, heading for Ḥijāz, he turned towards Muḥammad b. 'Alī b. 'Abdallāh b. 'Abbās in al-Ḥumayma. He gave his *waṣiyya* to him, handed him his 'documents' and united him with a group of the Shī'a. He said, "We had presumed that the imāmate and the authority were with us. Now doubt has disappeared and it is clear with certainty that you are the imām and that the caliphate shall be with your sons."

5.B. *Al-Balādhurī*

The Shī'a used to relate that the imām was Muḥammad b. 'Alī. It is thought that he was the son of al-Ḥanafīyya. When Ibn al-Ḥanafīyya died, they said, "The imām is his son 'Abdallāh b. Muḥammad b. 'Alī, that is, Abū Hāshim." When Abū Hāshim was poisoned on his journey, as he headed for the Ḥijāz, he turned towards Muḥammad b. 'Alī b. 'Abdallāh b. 'Abbās in al-Ḥumayma. He gave his *waṣīyya* to him, handed him his 'documents,' and brought him together with a group of the Shī'a. He said, "We presumed that the imāmate and the authority were with us. Now doubt has disappeared and it is clear with certainty that you are the imām and that the caliphate shall be with your sons."

6.A. *Al-Maqrīzī*

It is said that he (Abū Hāshim) said to him (Muḥammad b. 'Alī), "I am dying. I have come to you. This is the *waṣīyya* of my father. In it [it says] that the authority will pass to you and to your sons, [and it contains] the time when that will be, the 'signs,' and that which you must do according to what was related on the authority of my ancestor 'Alī b. Abī Ṭālib (may God be pleased with him). So hold it close to yourself and know that the one who possesses this authority from among your sons is 'Abdallāh b. al-Ḥārithiyya and then 'Abdallāh, his brother. When 'the year of the donkey' has passed, send your messengers with your documents towards Khurāsān and Iraq."

6.B. *Al-Ya'qūbī*

Paternal cousin, I am dying. I have come to you, and this is the *waṣīyya* of my father to me. In it, [it says] that the authority will pass to you and your sons; [and it contains] the time at which that will happen, the 'signet seal,' and what you must do according to what was related on the authority of [my] father, 'Alī b. Abī Ṭālib. So keep it close to yourself.... Know that the one who possesses this authority from among your sons will be 'Abdallāh b. al-Ḥārithiyya and then 'Abdallāh, his elder brother. When 'the year of the donkey' has passed, send your messengers with your documents."

7.A. *Al-Maqrīzī*

And he informed him of what he was to do. Abū Hāshim had previously informed his Shī'a in Khurāsān and Iraq during their frequent visits to him that authority would pass to Muḥammad b. 'Alī, and he had ordered them to go directly to him. So when Abū Hāshim died in the year 99, the Shī'a went directly to Muḥammad b. 'Alī and were favorably inclined towards him. They confirmed his imāmate and the imāmate of his sons and took the oath of allegiance to him. They also took the oath of allegiance to Ibrāhīm al-Imām accordingly.

7.B. *Ibn al-Athīr*

He took up residence with him, informed him that the authority would pass to his sons, and told him what he should do. He had previously informed his Shī'a in Khurāsān and Iraq during their frequent visits to him that the

authority would pass to the sons of Muḥammad b. ‘Alī, and he had ordered them to go directly to him (Muḥammad b. ‘Alī) after [his death]. So when Abū Hāshim died, they went directly to Muḥammad and took the oath of allegiance to him.

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BUILDING AN EGYPTIAN IDENTITY

Petra M. Sijpesteijn

Ask Mount Muqattam about the people who lived in the past: they have perished and all that remains of them is stones. Ask about Dalūka and the dam she built...¹

Ancient Egypt was a world largely closed to Egyptian Muslims. By the time of the Arab conquest, the ability to read hieroglyphs had long been lost and the meaning of the writings along with it.² Evidence for the understanding and use of ancient Egyptian learning peters out even before the Christian period.³ And yet the remains of Egypt's pharaonic past were everywhere to be seen, imposing and enigmatic, demanding explanation. Muslim reactions to all this were mixed.

On the one hand, the press was not good. The depiction of Fir'awn in the Qur'ān⁴ as the tyrant Pharaoh who terrorized Moses and his people until God suffered him to drown in the Red Sea in pursuit of the Israelites did the pharaohs no favors.⁵ Egyptian iconography, ubiquitous in the landscape, also posed a problem. The relentlessly anthropomorphizing nature of the ancient Egyptian pantheon, with its bizarre and unsettling animal-headed gods, only underscored the barbarously pagan character of its civilization.

¹ Tāj al-'Ulā Ashraf al-Ramlī, cited by al-Idrīsī, *Anwār 'ulwī 'l-ajrām*, 153.

² This is so despite al-Mas'ūdī's claim (*Murūj al-dhahab*, 2:401–2) that he has heard from a saint in Akhmīm what the "ancient writings" in some of the temples say. Elsewhere the same al-Mas'ūdī writes that the inscriptions and pictures that cover the excavated pharaonic statues "cannot be read by anyone of any of the religions," while "knowledgeable men claim that the writing disappeared from Egypt four thousand years ago" (*Murūj*, 2:419).

³ As shown by Cook, "Pharaonic History in Medieval Egypt." However, see Haarmann, "Regional Sentiment in Medieval Islamic Egypt," and "Medieval Muslim Perceptions of Pharaonic Egypt," 618–20.

⁴ In the Islamic tradition Pharaoh has become a personal name rather than a title, referring to the ruler of Egypt at the time of Moses.

⁵ "Pharaoh" continues to be used to describe political leaders deemed un-Islamic in their behavior. Most famously the leader of the murderers of Egypt's president Anwar al-Sadat in 1981 called out after the killing "My name is Khalid al-Islambuli. I have killed Pharaoh. I am not afraid to die."

And yet on the other hand, ancient Egypt could not fail to impress. Its monumental remains conjured a glorious past of fantastically rich and potent rulers, possessed of resources and technological finesse of magical power. This impression gave rise to a genre of fantastical stories which traded on the supernaturally sophisticated know-how of the ancient Egyptians and the awe-inspiring strength of their rulers. At first sight, these stories seem to have functioned largely as entertainment, isolating ancient Egyptian history into a long-ago past, mythical and picturesque, distant and unconnected to the Egypt of their own times.⁶ But, as I will argue in this paper, more than this was going on.

One of the pre-Islamic monuments that found itself mythologized in this way was the so-called “Old Lady’s Wall.”⁷ The journey of the wall through the early Muslim imagination nicely highlights both the ambivalence with which Egypt’s new conquerors confronted the country’s rich and complex legacy, but also how, via this process, they developed a sense of identity as Egyptians, conjoined with and yet differentiated from their Arab neighbors. This identity was not built on an uninterrupted continuity with pharaonic Egypt or even on pre-Islamic memory. Rather it was the result of an active process of islami-cization in the third/ninth and fourth/tenth centuries, in which the Egyptian landscape and its pre-Islamic history were absorbed, in often markedly re-envisioned form, into the Islamic project. In this extension of the Islamic conquest into Egypt’s past, a new history was written for Egypt, in which its pre-Islamic heritage became an integral part of the country’s path to the Muslim polity it would eventually become.

The case of the Old Lady’s Wall belongs to this context of a process of colonizing and Islamicizing the Egyptian landscape. This paper will start by tracing the descriptions of the wall through the different accounts over time.⁸ Most importantly, however, it will examine the

⁶ See, for example, the descriptions of the Alexandrian Lighthouse by Yāqūt, *Buldān*, 1:187, and of the Pyramids by al-Mas’ūdī, *Murūj*, 2:399–406.

⁷ See Pellat, “Ḥā’it al-‘Adjūz”; Basset, *Mille et un contes, récits et légendes arabes*, 97–98; idem, “légendes,” 41; Maspero and Wiet, *Matériaux pour servir à la géographie de l’Égypte*, 72–73; Fawwāz, *al-Durr al-manthūr fī ṭabaqāt rabbāt al-khudūr*.

⁸ Some, however, consider these stories surrounding the wall merely “fantastic, not worth repeating” (*khurāfa lasnā narā dhikrahā*) (Ibn Faḍl Allāh al-‘Umārī, *Abṣār*, 2:306). “I have no idea who built this wall and what it was for in reality,” al-‘Umārī adds. Al-Tujībī writes after his account of Queen Dalūka that “God knows best,” indicating some margin of doubt on his side (*Mustafād*, 172). Ibn Jubayr writes that “many different and divergent things are told about it and only God knows its secret” (*Rihla*, 58).

significance of this story, at the time when it first surfaced in the third/ninth and fourth/tenth centuries, for our understanding of the coming into being of an Egyptian Muslim society.

From Iraq to Egypt: the different versions

Most references to the *ḥa'it al-'ajūz* or *jidār al-'ajūz*⁹ appear in the *Faḍā'il Miṣr* ("Merits, Virtues, Excellences of Egypt") sections of books on Egypt, or else in works dedicated wholly to this subject, from the late third/ninth and fourth/tenth centuries. The virtues or excellences listed concerned Egypt's built and natural environment, its historical monuments, mountains and rivers,¹⁰ as well as events and figures associated with its history. They were taken from *ḥadīths* and related exegetical, historical and anecdotal material.¹¹ The story also figures in chronicles, geographical dictionaries and specialist works on monuments and pilgrimage sites, and in the encyclopaedic works of the later Middle Ages. Not surprisingly, its most extensive treatment is in works by Egyptian authors or writers who visited Egypt. The increased appearance of eyewitness reports in the seventh/thirteenth century gives us a glimpse into the emergence of a new and more

⁹ The wall is also called *sūr*, "dyke" (e.g. al-Idrīsī, *Anwār*, 153; Ibn al-Wardī, *Kha-rīda*, 47) and *ḥiṣn* (al-Maqrīzī, *Khiṭaṭ*, 1:199). An alternative reading replaces 'ajūz, "old woman," with *hajūz*, "barrier" (Ibn al-Faqīh, *Buldān*, 60; Pseudo-Abū Šālih, *Churches*, f. 19b; al-Harawī, *Ishārāt*, 113).

¹⁰ See, for example, how in a story set soon after the conquest of Egypt, the Muslims colonize the Muqaṭṭam mountain outside Cairo and establish it as a Muslim graveyard. The Byzantine patriarch explains to the Arab conqueror and first governor of Egypt, 'Amr b. al-Āṣ, why the mountain has such a bold look. When God invited the mountains to honor him with their vegetation, Muqaṭṭam replied with such enthusiasm that it became denuded of all plants. God rewarded the mountain with lush coverage in the afterlife. The Muslims then decided that since only Muslims can enjoy such favorable conditions in the afterlife, the mountain is to be a Muslim graveyard (al-Suyūṭī, *Ḥuṣn al-muḥāḍara*, 1:109. See also Sijpesteijn, "Sacrificing a Virgin to the Nile" [forthcoming] for an extensive discussion of this and related anecdotes that appear together on a third/ninth-century Arabic papyrus from Leiden University). That the mountain functioned soon after the arrival of the Arabs as a Muslim graveyard is clear from archeological finds as well as from medieval *ziyārāt* works (Ohtoshi, "Conception of 'Egypt' in the Pre-Modern Period").

¹¹ For this genre, see Sellheim, "Faḍīla"; Cobb, "Virtual Sacrality: Making Syria Sacred Before the Crusades," 38–9; Antrim, "Ibn 'Asākir's Representations of Syria and Damascus," 110–11. For Egypt, see Ibn al-Kindī, *Faḍā'il Miṣr*, 67; Ibn Zahrā, *al-Faḍā'il al-bāhira fī maḥāsin Miṣr wa-l-Qāhira*, 16–17, 151; Ibn Zūlāq, *Faḍā'il Miṣr*; and the section of Ibn 'Abd al-Ḥakam's *Futūḥ Miṣr* dealing with *ba'd faḍā'il Miṣr* (4–7). Cf. Robin, 'Moïses.'

locally-rooted relationship to Egypt's landscape and past. The personal observations and eye-witness reports that are represented as having preserved the descriptions cannot always be taken at face value as they often confuse different accounts, events, and places. Over the course of time, the story of the "Old Lady's Wall" became embellished and conflated with accounts of other Egyptian monuments. At the same time, current and antiquarian information was mixed without clearly separating them.¹²

The first reference to the Wall that survives comes from the Baṣran *littérateur* al-Jāḥiẓ (d. 255/868–9), who included it among the thirty wonders of the world (a full twenty of which were in Egypt) in his *Kitāb al-buldān*. However, this reference, which does not appear in the preserved portion of the text, is known only from citations in later works.¹³ Al-Jāḥiẓ's description, moreover, is very limited, mentioning solely that the wall extended from al-ʿArish in the north to Aswān in the south, encircling Egypt in the east and west. Al-Jāḥiẓ's account is quoted exactly by the later authors al-Idrīsī (d. 649/1251), in his *Kitāb Anwār ʿulwī ʿl-ajrām fī ʿl-kashf ʿan asrār al-ahrām*, and Ibn Iyās (d. ca. 930/1524) in his *Badāʾiʿ al-zuhūr fī waqāʾiʿ al-duhūr*.¹⁴

A much more extensive treatment appears in the Egyptian Ibn ʿAbd al-Ḥakam's (d. 257/871) *Futūḥ Miṣr*. Ibn ʿAbd al-Ḥakam explains that when God destroyed Pharaoh and his companions, only slaves, workmen and women were left in Egypt. It was decided that Dalūka bint Zabbā,¹⁵ a woman of great intelligence and impeccable nobility, would

¹² For this characteristic of the geographical works, see Humphreys, *Islamic History*, 16–17.

¹³ *Wa-minhā [al-ajāʾib] ḥāʾit al-ʾajūz min al-ʾArish ilā Aswān tuḥītu bi-arḍ Miṣr sharqan wa-gharban*. The extant part of the work does not contain this fragment (al-Jāḥiẓ, *Rasāʾil*, 4:109–51; cf. Pellat, "Jāḥiẓiana III. Essai d'inventaire," 154; idem, "Nouvel essai d'inventaire").

¹⁴ Al-Idrīsī, *Anwār*, 22; Ibn Iyās, *Badāʾiʿ*, 1:13. The exact phrase (*ḥāʾit al-ʾajūz min al-ʾArish ilā Aswān tuḥītu bi-arḍ Miṣr sharqan wa-gharban*) is quoted from Qāḍī Abū ʿAbd Allāh al-Qudāʾī (d. 453/1062) by Yāqūt, *Muʿjam*, 2:210, s.v. "ḥāʾit al-ʾajūz" (see below note 35). Other, later authors mention the Wall more generally among the wonders of Egypt without referring to al-Jāḥiẓ. See, for instance, *wa-min al-ajāʾib ḥāʾit al-ʾajūz*, in al-Qalqashandī, *Ṣubḥ al-aʾshā*, 3:325; Ibn al-Kindī, *Faḍāʾil Miṣr*, 67; al-Harawī, *al-Ishārāt*, 112; Ibn al-Zayyāt, *al-Kawākib*, 11; and *min al-mabānī al-ʾajība*, in al-Dimashqī, *Nukhba*, 34; al-Ibshīhi, *al-Mustaṭraf*, 1:628. Ibn Zahira, *Faḍāʾil*, 151 cites the phrase wordily anonymously.

¹⁵ Her name is written variously as: دلوكه, دلوكه, دلوكا. Alternative names of her father occur such as Zabbā, Zabā (Ibn Abd al-Ḥakam, *Futūḥ*, 26, n. 11, 28); Zayyā (Ibn al-Zahira, *Faḍāʾil*, 16); Rayyā (Yāqūt, *Buldān*, 1:187; Ibn al-Zahira, *Faḍāʾil*, 16, n. 5); Zaffān (al-Maqrizī, *Khiṭaṭ*, 1:142).

rule Egypt. This is the point at which the “old lady” enters the story, since, at the time of her accession to the throne, Dalūka was a full 160 years old.¹⁶ Fearing that neighboring rulers would take advantage of Egypt’s sudden lack of fighting men by launching an attack, she ordered a defensive wall be built around the country. The wall took six months to build,¹⁷ and enclosed the fields, villages, and cities of Egypt with a large canal crossed by bridges. Guards and lookout posts were placed every three miles, with smaller lookouts at every mile. Each watch post held two soldiers and their provisions. At the first sight of danger, the guards were to ring the alarm bells with which every post was equipped, thereby mobilizing all the other soldiers.¹⁸ Dalūka went on to rule for twenty years and thanks to her foresight, Ibn ‘Abd al-Hakam says, Egypt enjoyed four hundred years of security. She carried out a program of repopulation by marrying the free women to manumitted slaves, so that eventually a male successor was old enough to succeed her. One of Ibn ‘Abd al-Hakam’s informants, the Egyptian traditionist ‘Uthmān b. Šāliḥ (d. 219/834), mentioned that large parts of the Wall could still be seen in Upper Egypt.¹⁹ This story is the basis of most later accounts about the Old Lady’s Wall and authors include it even when they offer additional information.²⁰

The Wall’s next appearance comes with an alternative explanation for its coming into existence. The Iranian geographer Ibn al-Faḳīh

¹⁶ It is also said that she was a hundred years old when she came to the throne (Yāqūt, *Buldān*, s.v. “ḥā’iṭ al-‘ajūz,” 2:209). Her nickname is also derived from the long period that she ruled (al-Qalqashandī, *Šubḥ*, 3:412; Ibn Jubayr, *Riḥla*, 58 referring to *al-Masālik wa-l-mamālik*). Her advanced age put Dalūka in a different category from women of childbearing age, making her acceptable as a ruler, albeit only so long as no suitable man was available.

¹⁷ Ibn ‘Abd al-Hakam, *Futūḥ*, 27. Because of the large number of men working on it, another source adds (Yāqūt, *Buldān*, 2:210, s.v. “ḥā’iṭ al-‘ajūz”).

¹⁸ Al-Mas‘ūdī writes specifically that the guards were at a distance that could be covered by the voice (*Murūj*, 2:398), or that they used fire at night and smoke during the day to warn each other (*Murūj*, 1:392 cited by al-Nuwayrī, *Nihāyat*, 15:138–9). Yāqūt mentions that fires were used at night while bells warned the guards during the day (*Buldān*, 2:209), and Ibn Zahira mentions that there were fires on the watch towers that were never kindled (*Faḍā’il*, 151).

¹⁹ Ibn ‘Abd al-Hakam, *Futūḥ*, 27.

²⁰ It is literally repeated by al-Maqrīzī (*Khīṭaṭ*, 1:38; 142–3; 199), referring to Ibn ‘Abd al-Hakam, and by al-Suyūṭī (*Ḥusn al-muḥāḍara*, 1:44–5) and Ibn Zahira (*Faḍā’il*, 16–17) who cite it anonymously. Al-Mas‘ūdī (*Murūj*, 2:398) and al-Nuwayrī (*Nihāyat*, 1:392) use it, as does Yāqūt who has the information on the authority of “others (*ākhirūn*)” (*Buldān*, 2:209). Almost all other accounts on the wall make use of this description.

(d. 290/902) writes in his *Mukhtaṣar Kitāb al-buldān* that Dalūka, an ancient queen, decided to build the wall on both banks of the river after her son had been killed by a lion (*sabʿ*), thereby avenging herself on all lions by preventing them from reaching the Nile.²¹ At the same time, Ibn al-Faḳīh writes, the wall had a defensive function, either against the Ethiopians,²² the Nubians,²³ or all outside powers who wanted to conquer Egypt overland from the East. It also functioned as a talisman, containing images of the people surrounding Egypt and their preferred beasts of burden, as well as their weapons of choice. Enemy forces approaching Egypt were stopped and destroyed by the power of the images.²⁴ It is also said, Ibn Faḳīh reports, that Plato²⁵ built the wall, at the request of some kings, over a length of thirty parasangs between Faramā and Aswān.²⁶

In his *al-Taʾrīkh al-majmūʿ* (universal history), the chronicler Ibn Baṭṭīq, or Eutychios of Alexandria (d. 328/940), tells the same story of a queen building a wall around Egypt to protect it, but in this version the queen is Cleopatra, who ruled Egypt from 69 to 30 BC, and the

²¹ *Mukhtaṣar Kitāb al-buldān*, 60.

²² *Hājizān baynahum wa-bayna l-Ḥabasha*.

²³ To stop the Nubians from raiding Upper Egypt. See also below, n. 63.

²⁴ This information seems to be conflated with the accounts about the temples (*barābī*) in Upper Egypt which had been built at the order of Queen Dalūka by a sorceress and which were said to have been covered by images and filled with statues of “horses, mules, donkeys, ships, men” which were supposed to be directed towards the enemy so as to stop them (Ibn ʿAbd al-Ḥakam, *Futūḥ*, 27–8; Yāqūt, *Muʿjam*, 1:362, s.v. “Barābī.”). Or, alternatively, they were built by the Queen herself and filled with statues of the people that surrounded Egypt and their mounts, as well as images of the people who might attack Egypt from the sea. “So if an army came from the Ḥijāz or Yemen, the images of camels etc. that were in the temples sank [in the sand] and the army with all its people and animals was also destroyed. If the invasion came from Syria the same happened as we have described before, with the images pointing toward the direction the army came from, and the army with its people and beasts was destroyed with the destruction of the images. The same happened with armies arriving from the west and with maritime expeditions arriving from Byzantium and Syria and organized by other kings” (al-Masʿūdī, *Murūj*, 2:399–400; cf. al-Nuwayrī, *Nihāyat*, 15:138).

²⁵ Ibn al-Faḳīh, *Buldān*, 60. In Yāqūt’s account, Plato’s name is dropped and the wall is built “at the order of several kings.” Yāqūt also cites the other accounts which he ascribes to Ibn al-Faḳīh (*Buldān*, 2:209; cf. al-Baghdādī, *Marāṣid*, 1:374).

²⁶ Al-Harawī followed the wall for thirty days or less from Bilbays to Aswān (*al-Ishārāt*, 112). When Yāqūt gives a length for the wall he seems to have used both accounts, writing both that it is thirty parasangs and thirty days long (*Buldān*, 2:210), which of course amounts to the same.

enemy she seeks to repel is Octavian (later Augustus Caesar).²⁷ The wall extended from Nubia to the Mediterranean, to Faramā in the west and to Alexandria in the east. Ibn Baṭṭīq adds that this structure is “now called the Old Lady’s Wall,” implying that it still existed in his time.²⁸

Another explanation for Dalūka’s decision to build the wall is given by the historian al-Mas’ūdī (d. 345/956), who claims to have examined in person the traces of the wall that still existed in 332/943 during his visit to Upper Egypt.²⁹ In his global history, *Murūj al-dhahab wa-mā’ādin al-jawhar* (“The meadows of gold and mines of precious gems”), he writes that Dalūka built the wall to protect her son, whose fondness of hunting, she thought, put him in great danger of being attacked by wild animals or hostile kings and nomads. A protective wall around the country, patrolled by guards within earshot of each other and surrounded by crocodiles and other wild animals, was supposed to keep danger out and her son in.³⁰ The next author to mention the Wall is Ibn al-Kindī (d. ca. 360/970), son of the famous Egyptian chronicler (d. 350/961), who in his *Faḍā’il Miṣr* only mentions the wall in passing as one of the wonders of Egypt.³¹

From the seventh/thirteenth century onward, versions of the story become more elaborate, with authors describing more details and retelling more variants, including more mundane explanations for the existence of traces of what seems to have formed some sort of continuous wall-like structure in Upper Egypt. Authors from this period also rely more often on their own observations. The traveler Ibn Jubayr (d. 611/1215) visited Upper Egypt in 579/1183 and described a wall extending from the district of Cairo to Aswān on the eastern bank of the Nile, destroyed in parts but whose ruins were visible in other places. In his travel account, Ibn Jubayr quotes from a work called *al-Masālik wa-l-mamālik*³² that the Wall is named after a queen who

²⁷ This version is found again only in Pseudo-Abū Ṣāliḥ, who follows Eutychius exactly in his attribution of the wall to Cleopatra (*Churches*, 170). Pseudo-Abū Ṣāliḥ also mentions that the wall is “nowadays” called *ḥā’it al-’ajūz* (*Churches*, 59).

²⁸ Ibn al-Baṭṭīq, *Annalenwerk*, §128–9.

²⁹ This is the second explanation he gives, after mentioning that Dalūka was put on the throne after Pharaoh’s death to protect the country and that she built a wall around it. Al-Mas’ūdī here relies heavily on Ibn ‘Abd al-Ḥakam’s version (*Murūj*, 2:398).

³⁰ Al-Mas’ūdī, *Murūj*, 2:398–9.

³¹ Ibn al-Kindī, *Faḍā’il Miṣr*, 67.

³² I was unable to track down a reference to the Old Lady’s Wall in any of the known works with this title.

ruled for a long period, but, he adds, “many different and divergent things are told about it and only God knows its secret.”³³ Al-Harawī (d. 611/1215), in his pilgrimage guide entitled *Kitāb al-Ishārāt ilā maʿrifat al-ziyārāt*, writes that “no one can ignore this wall” and followed its trail of traces along the eastern bank of the Nile from Bilbays in the Delta to Nubia, “upon the summits of the mountains and in the depressions of the *wādīs*.” Al-Harawī adds that a similar wall is to be found on the western bank. But on the origins of the wall he has little to offer, saying only that “they claim that a woman ruled the land and built the two walls. God knows best.”³⁴

The Baghdādī scholar and geographer Yāqūt (d. 626/1229) visited Egypt twice and writes that the Old Lady’s Wall “continues to exist in our time,” suggesting that he has observed it himself. However, his description consists solely of the earlier accounts of al-Jāhīz,³⁵ Ibn ‘Abd al-Ḥakam,³⁶ and Ibn al-Faḡīh.³⁷

Almost a century later, the wall functioned in an historical anecdote. In his abridgement of Ibn ‘Asākir’s monumental history of Damascus (*Mukhtaṣar Taʾrīkh Dimashq li-Ibn ‘Asākir*), Ibn Manẓūr (d. 711/1311) describes the following event. Zabbān, son of the famous governor of Egypt, ‘Abd al-‘Azīz (in office 684–705), was murdered in 132/750, it was said, at the *ḥāʾit al-‘ajūz*. His horse tripped there and broke a leg, allowing his persecutors to catch up with him and dispatch him. Zabbān travelled in the company of the fleeing Umayyad caliph Marwān II (r. 127–132/744–750), who had been seeking refuge in the Upper Egyptian town of Buṣīr.³⁸

The Syrian scholar al-Dimashqī (727/1327), in his *Kitāb Nukhbat al-dahr fī ‘ajāʾib al-barr wa-l-baḥr*, credited Dalūka with two measures to protect Egypt after the destruction of Pharaoh and his men. Beside building the wall from al-‘Arīsh to Aswān on the eastern bank of the Nile, she initiated a program of repopulation by manumitting

³³ Ibn Jubayr, *Rihla*, 58.

³⁴ Al-Harawī, *Ishārāt*, 113.

³⁵ Even though Yāqūt ascribes the account to Qāḍī Abū ‘Abd Allāh al-Quḍāʾī, the words are exactly those used by al-Jāhīz (see above, n. 14).

³⁶ Following the exact same order, but containing some different formulations and additional information, such as the fact that at night fires were lighted at the top and that the wall could be built in six months because so many workers were involved in the building (Yāqūt, *Buldān*, 2:209–10).

³⁷ Yāqūt, *Buldān*, 2:209. Note that Yāqūt does not mention Aflātūn (Plato), but rather writes that “some kings of Egypt ordered the building of the wall.”

³⁸ Ibn Manẓūr, *Mukhtaṣar taʾrīkh Dimashq*, vol. 3, no. 199.

Egypt's slaves and marrying them to the remaining free women.³⁹ Al-Dimashqī's account relies on Ibn 'Abd al-Ḥakam, but uses a different formulation.

The North African scholar and travel writer al-Tujībī (d. 730/1330) also saw for himself the wall on both banks of the Nile during his *rihla* on the way to Qūṣ. Part of it had been razed and only ruins remained, which he traced for several days. Al-Tujībī had been told that the wall extended to the end of the country of the Muslims, separating the Nile from the land beyond. Al-Tujībī offers yet another explanation for its existence,⁴⁰ writing that when the sorceress-queen Dalūka gave birth to her son, she had a horoscope made which warned that a crocodile would kill the boy. In a vain attempt to circumvent the prediction, Dalūka built the wall to protect her son from marauding crocodiles.⁴¹ One day, when the boy was grown up and after his mother had died, he went to look at the wall and asked why it had been built. When he was told it was to keep out crocodiles, he asked to be shown one, but this request was refused on the grounds that it was too dangerous. Once home again, he asked that a crocodile be made for him from wood so he might know what the animal looked like. A splinter of the statue cut his finger, causing a festering wound that did not heal and from which he eventually died.⁴²

Al-Nuwayrī (d. 733/1333), who otherwise relies on the versions of al-Mas'ūdī, Ibn 'Abd al-Ḥakam, and al-Dimashqī, records a very similar story in which the boy, wanting to know what animal was mentioned in his horoscope, receives a wooden statue of a crocodile; the figurine gives him such a fright that he dies.⁴³ The story of Dalūka's son destined to be killed by a crocodile recalls the ancient Egyptian

³⁹ Al-Dimashqī, *Nukhba*, 34. This is repeated in al-Nuwayrī, *Nihāyat*, 1:392. Ibn 'Abd al-Ḥakam emphasizes that the slaves were first manumitted before the noble women married them, but adds that it is this social background that explains the current status of Coptic men as subject to their dominant wives (*Futūḥ*, 28).

⁴⁰ Al-Tujībī (*Mustafād*, 172) also mentions the defensive function, as already found in Ibn 'Abd al-Ḥakam.

⁴¹ Or she built it when he grew up (al-Ibshīhī, *Mustaṭraf*, 1:628).

⁴² Al-Tujībī, *Mustafād*, 172.

⁴³ Al-Nuwayrī, *Nihāyat*, 1:393. This story is repeated by al-Ibshīhī, *al-Mustaṭraf*, 1:628. Al-Nuwayrī also quotes al-Mas'ūdī's account on the appointment of Dalūka and her decision to build a wall, adding that the wall extended from Rafaḥ, the coastal town between Palestine and Egypt, and Barqa in Cyrenaica (*Nihāyat*, 15:138). Al-Nuwayrī also gives the more general account (*Nihāyat*, 1:392), relying on Ibn 'Abd al-Ḥakam and al-Dimashqī without mentioning either of them.

story “The doomed prince,” also known as “The prince, the dog, the snake and the crocodile,” partially preserved on a single papyrus from the Middle Kingdom. When an aged king is given the prediction at the birth of his long-awaited son that the boy will be killed by a dog, a snake or a crocodile, he locks him up in a desert castle. When the prince grows up he convinces his father that he should travel the world to face his fate, accompanied by the dog that his father had given him. The prince is able to ward off an attack from a snake and a crocodile, but learns that the crocodile will eventually cause his death. The rest of the story is lost, but the similarities with the travails of Dalūka’s son are striking.⁴⁴ Al-Nuwayrī had observed the wall himself as well, mentioning the town of Rafaḥ for the first time, besides al-‘Arish, as the northwestern end-point of the wall.⁴⁵

The travel writer Ibn Faḍl Allāh al-‘Umarī (d. 749/1349) also claims in his *Masālik al-abṣār fī mamālik al-amṣār* to have seen the wall himself. He found it made of mud brick, nowhere very high or wide, and mostly destroyed. Ibn Faḍl Allāh interpreted the wall as a barrier between the cultivated land and the desert, keeping the sand out. He challenges the claim of some authors that the wall extended northward to somewhere between al-‘Arish and Faraḥ, by asserting that there are no traces to be found of it in the north, only some ruins in Upper Egypt.⁴⁶ The books about Egypt that ascribe the building of the wall to Queen Dalūka, he says testily, recount “fairy tales that we do not want to repeat.”⁴⁷

The Egyptian encyclopaedist al-Qalqashandī (d. 821/1418) remarked in his *Ṣubḥ al-a‘shā fī ṣinā‘at al-inshā’* that the wall, built by Pharaoh’s successor Queen Dalūka, was located at the foot of two hills and was made of mud brick, while traces of it could be found both on the east-

⁴⁴ The story related by al-Tujībī and al-Nuwayrī confirms the end that Wiedemann added to his translation, in which the prince dies while fighting the crocodile through an accidental bite by his dog (Wiedemann, *Altaegyptische Sagen und Maerchen*, 78 – 85).

⁴⁵ *Min ḥadd arḍ Rafaḥ* (Cf. Timm, *Ägypten*, 5: 2192–5) *ilā Barqa* (more recently known as Sumustā in the province of Beni Suef. Cf. Ramzī, *Qāmūs*, 2/3: 140; Timm, *Ägypten*, 5: 2413–14, probably not referring to the Pentapolis, which is also known as Barqa. Cf. Ibn ‘Abd al-Ḥakam, *Futūḥ*, 170). (Al-Nuwayrī, *Nihāyat*, 15:138).

⁴⁶ Ibn Faḍl Allāh al-‘Umarī, *Abṣār*, 2:306.

⁴⁷ Ibn Faḍl Allāh adds that he does not know why and by whom the wall was built (*Abṣār*, 2:306).

ern and western banks.⁴⁸ That traces of the wall could only be found in Upper Egypt is confirmed by al-Maqrīzī (d. 845/1442), who writes that only a few pieces of it are to be seen near Aswān.⁴⁹ Al-Maqrīzī also presents information on the wall from Ibn ʿAbd al-Ḥakam and al-Masʿūdī, as well as an anecdote, unique to this source, which will be related in detail below.⁵⁰

Al-Ibshīhī (d. 852/1448), in his *al-Mustaṭraf fī kull fann mustaṭraf*, repeats the horoscope version of the story of the wall from al-Tujībī, as well as the history of Queen Dalūka's rule after the destruction of Pharaoh from Ibn ʿAbd al-Ḥakam.⁵¹

Ibn al-Wardī (d. 861/1456) even wrote in his book on wonders (*Kharīdat al-ʿajāib wa-farīdat al-gharāʾib*) that the wall encircled Aswān on two sides, functioning simply as protection for the city and its surrounding land.⁵² Ibn Zahīra (d. 888/1483), on the other hand, claims in his work on the virtues of Egypt and Cairo (*al-Faḍāʾil al-bāhira fī maḥāsin Miṣr wa-l-Qāhira*) that much of it still remains in his own time in Upper Egypt. Ibn Zahīra writes that there were continuously burning fires on the lookout posts along the wall, and that it extended from Farah to Aswān, extending as far as Ifrīqiya, Wāḥāt (that is Wāḥāt al-khārija, the Kharga oasis in the western desert), and Nubia. His account, moreover, follows those that preceded him and there is no indication that he visited the area himself or that he had a realistic image of what a defensive wall might look like.⁵³ The Egyptian author al-Suyūṭī (d. 911/1505), in his work on Egypt (*Ḥusn al-muḥāḍara fī akhbār Miṣr wa-l-Qāhira*) repeated Ibn ʿAbd al-Ḥakam's version, including its report that parts of it were still visible in Upper Egypt.⁵⁴ There is no indication that al-Suyūṭī ever visited the wall himself.

⁴⁸ Al-Qalqashandī, *Ṣubḥ*, 3:325. Elsewhere he writes that remains are located in the south of Egypt (*Ṣubḥ*, 3:412).

⁴⁹ Al-Maqrīzī, *Khiṭaṭ*, 1:541.

⁵⁰ He quotes from Ibn ʿAbd al-Ḥakam, *Futūḥ*, 1:100–01; 1:387; 1:541–2; and al-Masʿūdī, *Murūj*, 1:101.

⁵¹ Al-Ibshīhī, *Mustaṭraf*, 1:628.

⁵² Ibn al-Wardī, *Kharīda*, 47.

⁵³ Ibn Zahīra, *Faḍāʾil*, 16–17, 151. For this author, see Cook, “Abū Ḥamid al-Qudsi.”

⁵⁴ 1:45.

The old lady and the wall

Queen Dalūka is associated in the sources with the building of other fabulous structures in Egypt, especially the ancient temples (*barābī*),⁵⁵ the Nilometers at Akhmīm and Anṣinā, and the famous lighthouse in Alexandria.⁵⁶ It is through her association with these buildings that Dalūka is sometimes depicted as a sorceress possessed of magical powers.⁵⁷ She is described as the first Coptic ruler of Egypt, the founder of a new dynasty situated among the historical *ṭabaqāt* of Egypt's rulers between the Amalekites and the Persians,⁵⁸ and the holder of Egypt's throne for a period of between twenty to thirty years.⁵⁹

Her wall enjoyed a long afterlife. Medieval Arabic authors often claimed to have observed it or to have heard that parts of it still existed in their own time, mostly in Upper Egypt near Aswān and Qūṣ.⁶⁰ As late as the nineteenth and twentieth centuries, European travellers and scholars also wrote about the Wall as an archaeological reality.⁶¹ Even today, modern internet sites point to a site called Ḥā'it al-'Ajūz on the east bank of the Nile, between Beni Suef and Minya.⁶²

⁵⁵ Or rather, she ordered the sorceress Tadūra to build them (Ibn 'Abd al-Ḥakam, *Futūḥ*, 27; Yāqūt, *Buldān*, 1:362, s.v. "al-Barābī"). These are the temples found in Akhmīm, Memphis, etc.

⁵⁶ Ibn 'Abd al-Ḥakam, *Futūḥ*, 16, 40; al-Maqrizī, *Khiṭaṭ*, 1:155, 204; Yāqūt, *Buldān*, 1:124, s.v. "Akhmīm", 1:187, s.v. "al-Iskandariyya", 1:362, s.v. "al-Barābī", 2:210, s.v. "ḥā'it al-'ajūz"; al-Qalqashandī, *ṣubḥ*, 3:412; Pseudo-Abū Ṣāliḥ, *Churches*, f. 80b; Ibn al-Zahīra, *Faḍā'il*, 178.

⁵⁷ Ibn al-Wardī (*Kharīda*, 47) calls her a *sāhira*.

⁵⁸ That is, the third generation (al-Qalqashandī, *ṣubḥ*, 3:412).

⁵⁹ "Thirty or less" according to al-Mas'ūdī, *Murūj*, 2:399; "twenty" according to Ibn 'Abd al-Ḥakam, *Futūḥ*, 28, repeated by al-Suyūṭī, *Ḥusn*, 1:45.

⁶⁰ Al-Maqrizī writes that only a few traces of it can be found on the eastern bank of the Nile near Aswān (*Khiṭaṭ*, 1:199). Ibn Zahīra specifies that up to his time (*ilā hādha 'l-waqt*) many remains of it could be seen in the south (*Faḍā'il*, 16).

⁶¹ Butler, *The Arab Conquest of Egypt*, 197–8, taken from Evetts, the nineteenth-century editor of Pseudo-Abū Ṣāliḥ's *History of Churches*, who mentioned that "it still exists in portions near Jabal at-Ṭair near Kūsiyah, and at other places." Jabal al-Ṭayr can be found on the road between Beni Suef and Minya (Cf. *Churches*, 59 n. 4; Cf. Seton-Williams and Stocks, *Blue Guide*, 482). See also the references in the *Description de l'Égypte* to mud-brick remains that, according to the locals, formed the remains of the Old Lady's Wall. The authors of the *Description* considered the Wall to have been built for defense against hostile invasion or the eroding forces of the desert, or that it functioned as a barrage to manage the inundation (4:7, 352–3, 378, 387; cited in Maspero and Wiet, *Matériaux*, 73.).

⁶² E.g. <http://www.visomap.com/place-fr/Ha'it+al+%60Ajuz/-457277>. But current travel guides, maps and geographical dictionaries do not mention it.

Then what was it? There are, of course, countless remains of ancient structures to be seen in Egypt that could have inspired the story of a wall that once encircled all the country's land and towns.⁶³ The observation of some authors that the wall was made of mud brick suggests that perhaps a more recent edifice lay behind the story.⁶⁴ On the other hand, other accounts clearly take their inspiration from ancient Egyptian temples and pyramids.⁶⁵ The Wall's association with a canal running along its base strongly suggests that some authors mistook some of Egypt's many dykes for (traces of) a Wall.⁶⁶

If the wall's purpose was defensive, against whom was it supposed to be defending? In several accounts it is said that the wall was designed as protection against Syria,⁶⁷ and its starting point in either Faramā, al-ʿArīsh or Rafaḥ on the Mediterranean coast in the Sinai desert might support this notion.⁶⁸ Other accounts see the wall reaching no farther north than the Delta.⁶⁹ Still others give the wall a more limited geographical function, interpreting it as a barrier against Nubian (or Ethiopian) incursions into Upper Egypt.⁷⁰ But while fortresses, towers and walls formed part of the defensive system of Egypt,⁷¹ there is no archaeological or historical evidence for such a wall stretching from

⁶³ See also Dijkstra, *Philae*, 28–9, where the supposedly archaeological evidence for the existence of a defensive wall between Egypt and Nubia is discussed. I would like to thank Jelle Bruning for pointing this reference out to me.

⁶⁴ Pellat repeats Maspero and Wiet's opinion that the mud-brick watch towers that Egyptians used to build until the modern period in the different wadis inspired the story of the Wall's regularly-placed watch towers (Maspero and Wiet, *Matériaux*, 73; Pellat, "Hā'it al-ʿAdjūz").

⁶⁵ By having one person, Queen Dalūka, responsible for all these buildings, and also by describing the Wall as covered or filled by talismanic figures.

⁶⁶ Ibn ʿAbd al-Ḥakam is the first to mention this; al-Qalqashandī repeats it.

⁶⁷ The seventh-century *Chronicle of Khūzistān* relates that the Muslim armies had difficulty in conquering and entering Egypt (*Chronicle of Khuzistan*, 37, cited by Hoyland, *Seeing Islam as Others Saw It*, 185, n. 41). For the dating of this text to the 660s, see Hoyland, *Seeing*, 182–5. I would like to thank Robert Hoyland for providing me with this reference and his translation of the relevant passage.

⁶⁸ Al-ʿArīsh (al-Jāhiz, Abū Šālih, al-Nuwayrī, al-Dimashqī, Ibn Zayyāt, al-Qalqashandī, al-Ibshihi); Faramā (Ibn al-Faqīh, Ibn Bīṭrīq, Abū Šālih; and Rafaḥ (al-Nuwayrī, Ibn Zahīra, al-ʿUmari). In some accounts it is only located in the northern part of the country (al-Nuwayrī, *Nihāyat*, 5:138). See also the defensive wall against the Syrians that Diodoros of Sicily (fl. 60–40 BC) ascribed to the legendary ancient Egyptian king Sesoösis (see below, p. 98).

⁶⁹ To *ḥayyiz Miṣr* (Ibn Jubayr) or to Bilbays (al-Harawī).

⁷⁰ Yāqūt, *Buldān*, 2:209.

⁷¹ See, for example, the defensive wall which is supposed to have been built to keep the nomadic Blemmyes isolated (Maspero and Wiet, *Matériaux*, 73).

north to south on both banks of the Nile, or even merely on the east bank. The wall is rather a topos. But what then does it signify?

Islamicizing Egypt

Beware of manumitted slaves, raging youths, slave armies and arabized peasants.⁷²

The theme of ancient rulers building fantastically large defensive walls to protect against outside forces is not unique to Islamic, let alone Egyptian history.⁷³ Diodoros of Sicily (fl. 60–40 BC) ascribed to the legendary ancient Egyptian king Sesoösis the building of a defensive wall against the Syrians, “from Pelusium to Heliopolis, 1500 stades long right through the desert.”⁷⁴ Similarly, Nebuchadnezzar II (r. 604–562) is said to have built two defensive walls extending from east to west between the Tigris and the Euphrates. Xenophon described having seen remains of this wall in 402 BC,⁷⁵ and since then ancient and modern writers have tried to associate it with different archaeological remains.⁷⁶ What these walls share is often not so much a strategic rationale as a political one. As Sesoösis is “thought to have surpassed all former rulers in power and military exploits,”⁷⁷ the wall becomes evidence for his exceptional magnificence. Similarly, ancient walls, from the Great Wall of China to Hadrian’s Wall, were built less to seal or to quarantine—an almost impossible goal in practice—than to overawe. Hence we find the reverse phenomenon of supernatural provenance being ascribed to awe-inducing walls, from the Cyclopean

⁷² *ihdharū ‘l-‘abid al-mu’attaqīn wa-‘l-aḥdāth al-muttaḡhirīn wa-‘l-jund al-mu’ta-biddīn wa-‘l-nabaṭ al-musta’ribīn*. Al-Mas’ūdī reports that this ancient inscription, written in hieroglyphs on one of the pyramids in Akhmīm, was read out by the saint Dhū ‘l-Nūn and related to al-Mas’ūdī by the locals during his visit to the town (*Murūj*, 2:401).

⁷³ Consider too the Gorgan wall along the Caspian Sea in northern Iran, which was erected by the Parthians and extended and repaired by the Sassanians. It became known as the Gates of Alexander, referring to the legendary wall that Alexander the Great was said to have erected to keep out the people of Gog and Magog.

⁷⁴ Diodorus Siculus, 1:57.4. Nothers mentions in his commentary that there is only literary, and no archaeological evidence for this wall (*Griechische Weltgeschichte*, 297, note to 57.2ff.). Sesoösis, more usually spelled as Sesostriis, is a composite figure. The same legendary king is credited with the creation of a defensive system of canals from Memphis in the south to the Mediterranean in the north (1:57.3).

⁷⁵ Xenophon, *Anabasis*, 2:4:12–13.

⁷⁶ Barnett, “Xenophon and the Wall of Media.” I am grateful to Peter Verkinderen for pointing out this parallel to me, and to Wilfred van Soldt for guiding me through the ancient Near Eastern references to the Wall.

⁷⁷ Diodorus Siculus, 1:58.3.

walls of Mycenae and Alexander's Gates protecting against Gog and Magog, to England's various Devil's Dykes.

In the case of the Old Lady's Wall in Egypt, a purely defensive rationale is even more suspect than usual. Since ancient times, Egypt has formed a well-contained and clearly defined political and geographical unit. The Nile and the Delta were the only arable land, beyond which desert stretched to the country's borders. Egypt was bounded by the Eastern Desert and the Red Sea in the east, the Mediterranean in the north, the Libyan Desert in the west, and the Fourth Cataract in the south. Even the mighty Sesoösis is said to have thought that only 275 kilometres or so of wall were necessary. The Old Lady's Wall, however, encircles the *whole* of Egypt. This seems to be a specifically Islamic innovation and this uniqueness is directly related to the historical circumstances of Egypt in the third/ninth and fourth/tenth century Egypt, when the story of the wall first appears in the historical record.

Queen Dalūka's story, though ascribed to the Copts in the Arabic sources, is first extensively dealt with in third/ninth- and fourth/tenth-century *Faḍā'il Miṣr* works. While there are of course numerous examples of female rulers in ancient Egypt, no pre-Islamic accounts about a queen ruling Egypt after Moses' exodus and the subsequent pharaoh's drowning exist. No pre-Islamic tradition exists, moreover, of Egypt having been left bereft of male inhabitants after this event.⁷⁸ Queen Dalūka cannot be identified with a historical figure, but one female Egyptian ruler seems to have influenced the image of Dalūka and seems at times to have been conflated with hers. Queen Cleopatra (r. 48–33 BC) is known in the Muslim tradition as "the great builder" and many of the building projects ascribed to Cleopatra are also associated with Dalūka, such as the lighthouse in Alexandria.⁷⁹ Even the building of a great wall surrounding Egypt is ascribed to Cleopatra as we have already seen.⁸⁰ Finally, both women were known for their extraordinary cleverness and capable administration.⁸¹ As has been shown for other regions and places, the *Faḍā'il* collections can be used

⁷⁸ In the Jewish tradition there are, however, discussions concerning the number of men to have died with the pharaoh in the Dead Sea (Ginzberg, *Legends*, 3:43 and the notes in volume 6. I would like to thank Jan van Ginkel for this reference).

⁷⁹ Ibn 'Abd al-Ḥakam, *Futūḥ*, 40–1.

⁸⁰ Pseudo-Abū Šāliḥ, *Churches*, 170. See also, "and she [i.e. Cleopatra] raised a dyke against the waters of the sea and stone and earth" (John of Nikiou, *Chronicle*, LXVII.5).

⁸¹ El Daly, *Egyptology*, 133. According to El Daly, in the confusion with Cleopatra Dalūka and Zulaikha both appear. Zulaikha is the name given in the Islamic tradition to Potiphar's wife.

both to reconstruct the topography and rituals associated with holy places, as well as the discursive qualities of these stories.⁸² The *faḍā'il* works on Egypt are aimed at establishing Egypt as a self-evident Muslim space, as the earlier, Baghdad-centred impulse to inventory and classify turned, in the third/ninth century, into a need for an Egyptian Muslim identity distinct from the rest of the Muslim world. This need was felt both by those Muslim Arabs who had settled in Egypt during and after the conquests and by the (still relatively small number of) Egyptian converts to Islam.

After the conquest of Egypt in 642 Muslim soldiers were confined to the garrison cities from which they were supposed to continue their conquest of North Africa. It is only from the second half of the second/eighth century onward that we start to encounter larger numbers of Arab Muslims in the Egyptian countryside on a more permanent basis. But while Muslim Arabs from that time mixed and interacted with the indigenous population, social and economic prejudices kept islamization in check. It was not until the third/ninth century that Egypt acquired a truly "Islamic" ambience, with more Arabic-speaking converted Muslims appearing in the sources, and with a Muslim Arab population established in the countryside for several generations. Egyptian Muslims now felt sufficiently strongly connected to their land to want to set it and themselves off against the rest of the Islamic empire. Egyptian converts would be interested as well in presenting a special *Egyptian* Islam.

This budding sense of Egyptian Muslim identity got a major push from the arrival of a new group of Persian and Turkish Muslims in Egypt. These had arrived in 211/826 with the army of 'Abd Allāh b. Ṭāhir to restore 'Abbāsid control over the province.⁸³ Their Persian names and the technical expressions they introduced appear in the papyri.⁸⁴ The Turkish soldiers who would eventually establish an independent dynasty in Egypt (the Ṭulūnids) exerted power at the expense of the local Arab-Egyptian elite.

As a descendent of the old Egyptian Muslim elite, Ibn 'Abd al-Ḥakam gave voice to these sentiments in the first local Egyptian history, *Futūḥ Miṣr*. On the one hand, Ibn 'Abd al-Ḥakam could not avoid describing

⁸² Elad, *Medieval Jerusalem and Islamic Worship*; Cobb, "Virtual Sacrality"; Antrim, "Ibn Asākir's Representations of Syria and Damascus."

⁸³ Kennedy, "Egypt as a Province in the Islamic Caliphate," 81–2, 85.

⁸⁴ Frantz-Murphy, "The Economics of State Formation in Early Islamic Egypt."

the Old Lady's Wall in his chapter on the *faḍā'il* of Egypt. Vestiges of the structure were still readily seen in the south of Egypt at his time. But the story of the Wall and the queen who built it were also crucial materials for Ibn 'Abd al-Ḥakam's enterprise of underwriting the process of Egyptian identity formation.

Conclusion

Queen Dalūka and the wall she built around Egypt signalled a new phase in the history of the country—a history that was set in a remote past but that played out very much in the third/ninth century when it was written down. Dalūka had stayed behind in Egypt when Pharaoh and his men chased Moses and the Hebrews into the Red Sea, where God destroyed them. Dalūka and the other remaining Egyptians, on the other hand, were saved and their offspring purified. Dalūka's rule symbolises a break with the rejected past of Pharaoh's Egypt. Like the great flood that destroyed all rejected humans, the Red Sea flushed away the tyrannical ruler and his cohorts. And just as Noah was allowed to start anew on earth, literally filling the land with his seed, so Dalūka stood at the beginning of a new generation of Egyptians and a new Egyptian entity. Hence, Ibn 'Abd al-Ḥakam traces all specific traits of current Coptic Egyptians to these events. Most strikingly, he explains the servility of Coptic men to their wives to the fact that they descend from slaves, married by Dalūka to the Egyptian women at the lack of available free Egyptian men.⁸⁵ It was the beginning of Egypt's Coptic history, a history that could and should be connected to the story of the Arab Muslims themselves. The *faḍā'il* explain this connection in many *ḥadīths* in which the prophet Muḥammad tells the Muslims to treat the Copts well: after all, they are related to the Arabs either through their ancestor Hagar, or through one of the Prophet's wives and through Maryam, the mother of his only son.⁸⁶

By pointing to the physical remains of Dalūka's story in the Egyptian landscape, third/ninth-century authors brought the Old Lady's Wall into their own time, giving it not only life but meaning. The wall and the people who built it had disappeared, but at the same time its traces

⁸⁵ *Futūḥ*, 28.

⁸⁶ Both were Egyptians (Ibn 'Abd al-Ḥakam, *Futūḥ*, 2–7). For these *ḥadīths*, see especially Bashear, *Arabs and Others in Early Islam*, 68–70, 121–2.

were present to be observed, touched, and even tasted. Al-Maqrīzī tells the story, relayed by his informer al-Su'ūdī (d. 807/1409),⁸⁷ of how, when al-Su'ūdī and his travelling companions observed the wall in Upper Egypt, one of the party—in the manner of a true tourist—took one of the mud bricks out of the structure. Everyone was amazed by the large size of the brick, which surpassed any mud bricks known to them. Excited, each member of the company wanted to hold and examine the brick and it was reverently passed among them. Suddenly, it fell to the ground, bursting open to reveal a giant broad bean (*ḥabbat fūl*), much larger than anything ever seen by the party. They peeled it and found that it had remained unspoiled and untouched by worms; rather, it was “as if it had just been harvested.” The group decided to eat the bean piece by piece, “as if it had been kept for them from the ancient time and past centuries when things did not die until they had fulfilled their nurturing function.”⁸⁸ The wall's function could, in fact, not come to full closure until the Muslim period when the members of this party were able to release and consume the bean. This anecdote provides a connection between the ancient Egyptian past and the Muslim present. More importantly, without changing or challenging the story of the Wall and its builder, it gives the Wall a new meaning for Islamic Egyptian history. The miracle of the perfectly-preserved bean is set in Muslim Egypt and is precipitated through Muslim intervention. It transforms the Old Lady's Wall into a monument for a Muslim Egypt distinct from its past, but incorporating all its monuments and history.

The story of Dalūka and her wall gave a unity and a history to the communal past of Arab Muslims and Egyptians, an enterprise that had become especially important by the third/ninth century when significant numbers of Egyptians started to convert to Islam and when the Arab Muslims who had settled in Egypt felt their privileged position threatened by the newly-arriving Turkish rulers and Persian administrators. This history of Muslim Egypt started with Queen Dalūka and her wall, a creation of the third/ninth century. That Dalūka's memory can still evoke this association for modern-day Egyptians is shown

⁸⁷ This is Muḥammad b. Abī Bakr b. Muḥammad b. 'Alī b. 'Abd al-Raḥīm al-Su'ūdī, a resident of Qūṣ (al-Maqrīzī, *Durar al-'uqūd*, 2:202–3). I am grateful to Frédéric Bauden for help in identifying this person. He is cited only in al-Maqrīzī's *Khiṭaṭ*, where he is called Muḥammad al-Su'ūdī (ed. Sayyid 1:101) or Muḥammad al-Mas'ūdī (ed. Wiet, 166).

⁸⁸ al-Maqrīzī, *Khiṭaṭ*, 1:38.

nicely by a discussion on an internet forum, isuez.com: "Does anyone of you know who queen Dalūka is?" A visitor to the site gives the answer: "The first queen of Egypt."⁸⁹

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THE BATTLE OF THE DITCH (AL-KHANDAQ) OF THE CORDOBAN CALIPH ‘ABD AL-RAḤMĀN III

Maribel Fierro

During the academic year 1982–83, I attended a seminar on “Supererogatory Ḥadīth” taught by Michael Cook at the School of Oriental and African Studies in London. One of the *ḥadīths* we analyzed was an eschatological rendering of the struggle between Ibn al-Zubayr and the Umayyads.¹ Among many other useful things, I learned then that battles and eschatology often go hand in hand. I have chosen to deal with a similar combination in a volume dedicated to the scholar who taught me that no source material is boring *per se*: it is only we who make it dull when we renounce the fun of inquiring into it and tracing its origins.

1. *Recovering the Marches of al-Andalus:* *‘Abd al-Raḥmān III and the Frontier Lords*²

When ‘Abd al-Raḥmān III, then in his early twenties, came to power in the year 300/912, the Umayyads of Cordoba had a tenuous hold over al-Andalus. In the following years, the new emir exerted much energy in recovering control over those areas where independent lords of different ethnic origins (Arab, Berber, Hispanic) had taken power. He personally led most of the expeditions that resulted in recovery of the

¹ “There will arise a difference after the death of a caliph, and a man of the people of Medina will go forth fleeing to Mecca. Then some of the people of Mecca will come to him and will make him rise in revolt against his will. They will pledge allegiance to him between the Rukn and the Maqām. An expedition will be sent against him from Syria but will be swallowed up at Bayḍā’ between Mecca and Medina.” Cook, “Eschatology and the Dating of Traditions,” 32.

² For ‘Abd al-Raḥmān III’s frontier policies, see Manzano, *La frontera de al-Andalus en época de los omeyas*, with references. I have dealt with these policies in *Abd al-Rahman III, the First Cordoban Caliph*, 60–68, and “‘Abd al-Raḥmān III frente al califato fatimí y el reino astur-leonés.” The present article builds upon these earlier studies. I wish to thank Oneworld Publishers and the organizers of the seminar where the above-mentioned paper was presented (Xunta de Galicia and Xacobeo) for permission to quote from my previous publications.

lost territories. The strongest challenge came from Ibn Ḥafṣūn and his sons, whose fortress of Bobastro finally fell in 315/928. One year later, on 16 January 316/929, ‘Abd al-Raḥmān III proclaimed himself caliph, adopted the title *al-Nāṣir li-dīn Allāh*, and began minting gold coins. Having pacified the peninsula’s internal regions, he could now concentrate on recovering control over the frontier areas. Badajoz in the Lower March came into his hands in 317/930, Toledo in the Middle March fell in 320/932, and in that same year the Umayyad intensified his pressure on the Upper March, with its capital in Saragossa.

In that region, the power of the Banū Qasī, descendants of a local convert to Islam, had grown weak because of, among other things, the support that the Umayyads gave to the Arab Tujībids. These, however, soon exhibited a pattern that was normal among frontier lords, in that at times they maintained their loyalty to the Cordoban rulers, while at other times they rebelled. Thus, when Muḥammad b. Hāshim al-Tujībī succeeded his father as lord of Saragossa, the caliph was not pleased that his own right to name a representative in the area had been ignored.

In 322/934, ‘Abd al-Raḥmān III decided to send an expedition against the Christians in the Upper March. It was on that occasion, known as the Osma campaign, that the caliph adopted the flag called ‘the Eagle’ (*‘alam al-‘uqāb*),³ a name that evoked one of the flags of the Prophet Muḥammad⁴ and signalled the beginning of a trend that increased in the following years, namely that of suggesting that the caliphal campaigns were reenactments of the Prophet’s *maghāzī*.⁵

The Tujībīd Muḥammad b. Hāshim, together with the lords of Huesca and Barbastro, refused to take part in the Osma campaign, while the Tujībīd lords of Calatayud and Daroca agreed. Al-Nāṣir first directed his troops against the rebels, and Muḥammad b. Hāshim was forced to submit by taking part in the expedition and handing over some of his fortresses to the caliph. The Muslim army

³ Ibn Ḥayyān, *Muqtabis*, 5:224, Spanish translation, 250.

⁴ Alexander, “The Black Flag of the ‘Abbasids,” 229.

⁵ For example, during the attack launched by the count of Barcelona in 324/935–6, the commander Ibn Ilyās defeated the Christians and sent 1300 severed heads to the caliphal palace at Cordoba. The court poet Ibn ‘Abd Rabbihi (d. 328/940), author of the famous *al-Iqd al-farīd*, then wrote a poem in which he claimed that this battle was similar to Ḥunayn and Badr, see Ibn Ḥayyān, *Muqtabis*, 5:257.

then attacked the king of León, Ramiro II, inflicting great harm in his territories.

When Muḥammad b. Hāshim rebelled again in the year 323/935, the caliph signed a treaty with Ramiro II to ensure that Saragossa would not obtain Christian help. The Tujibid lords of Calatayud and Daroca maintained their loyalty to al-Nāṣir, and as a reward some fortresses in the vicinity of Saragossa were placed under their control. The surrender of the capital of the Upper March seemed near, but the caliph decided to return to Cordoba, leaving his commanders in charge of the siege of Saragossa. In 324/935–36, Ramiro II broke his treaty with the caliph, while the count of Barcelona attacked the Umayyad army along the frontier, the Berber Banū Dhī l-Nūn rebelled in the nearby area of Santaver, and the lords of Calatayud and Daroca allied with their kinsman, the lord of Saragossa, against the caliph.

This unrest seems to have been provoked by the presence in the area of Aḥmad b. Ishāq al-Qurashī, a member of the Umayyad family. The branch to which he belonged had settled in Seville. Like Aḥmad b. Ishāq's relatives, the Umayyad emirs of Cordoba, this branch of the family were descendants of Marwān I, the fourth caliph of Damascus (r. 64–65/684–85). Their ancestor, called 'Abd al-Malik b. 'Umar al-Marwānī, had arrived in al-Andalus in 140/757, soon after the Umayyad 'Abd al-Raḥmān I had been proclaimed emir in Cordoba after escaping from the persecution of the 'Abbasids. This 'Abd al-Malik b. 'Umar al-Marwānī contributed decisively to the victory of his kinsman 'Abd al-Raḥmān I over his enemies, and therefore to the consolidation of the Umayyad emirate in Cordoba. As Umayyads, his Marwānid descendants in al-Andalus considered themselves at the same level as the ruling emirs.⁶ In the second half of the third/ninth century, during the period of rebellions and internal discord known as the *fitna*, some of them rebelled. Aḥmad b. al-Barā' b. Mālīk al-Qurashī, who had been named governor of Saragossa, became suspect in his loyalty, and the emir 'Abdallāh (r. 275–300/888–912) ordered his assassination. Other members of this Marwānid family joined the Sevillian rebellion against 'Abdallāh, but they eventually moved to Cordoba when the Sevillans surrendered to 'Abd al-Raḥmān III in 301/913. They then served the caliph as commanders, governors and viziers.

⁶ Terés, "Dos familias marwaníes," 108–9.

Aḥmad b. Ishāq al-Qurashī had taken part in the siege of Saragossa, but the caliph became suspicious of his intentions and ordered his execution in the year 325/936. Soon afterward, his brother Umayya b. Ishāq al-Qurashī rebelled in Santarén in the Lower March and sought an alliance with the Christians. After his defeat in 327/939, Umayya b. Ishāq al-Qurashī went over to the king of León, Ramiro II, asking him to provide military assistance against the Muslims (*mustajīshan bihi 'alā l-islām*).⁷ He joined the Christian troops and was with them at the battle of Simancas, which will be dealt with in the following section. Later on, Umayya b. Ishāq al-Qurashī would return to obedience of the caliph.

Because of the unrest in the Upper March that had led to the execution of Aḥmad b. Ishāq al-Qurashī, 'Abd al-Raḥmān III decided to assume direct command of the punitive expedition against Saragossa. Part of his troops, under the command of his manumitted slave Durri, attacked Talavera and the lands of the Berber Nafza in the Middle March, where rebellion had erupted once again. The caliph, meanwhile, conquered Calatayud and Daroca, where the Tujibid lords were killed. The lord of Calatayud, Muṭarrif b. Mundhir al-Tujibī, had obtained help from Christian Álava, which prompted the caliph to write to him censoring his behaviour and ordering him to curtail any relations with the infidels. Muṭarrif's answer was: "How can I cut my right hand with my left?" (the right hand being the Christians and the left hand the caliph). This reply caused great scandal among the Muslims, and the conquest of Calatayud by the caliphal troops was especially bloody.

The siege of Saragossa lasted eight months in 325/936–937, while the inhabitants of the Peninsula were suffering from severe drought. On 23 August 325/937, Saragossa surrendered, although negotiations dragged on until November. A document was signed according to which the Tujibid lord had to abandon the town with his relatives and settle for some time as governor in another town. The new governor of Saragossa, named by the caliph, was required to treat those Tujibids who remained in the town well, and to establish himself at some distance from their residence, so as to avoid conflict. Once the period fixed by the caliph ended, the Tujibid lord of Saragossa had to move to Cordoba and to live there for thirty days, to make a public show of his obedience. If the Tujibid lord acted accordingly, the cal-

⁷ Ibn Ḥayyān, *Muqtabis*, 5:291–92, trans. 321–22.

iph would eventually name him governor of Saragossa. As such, the Tujibid lord would have to pay taxes and to sever all ties with the Christians. He could provide no help to the caliph's enemies, since he was obliged to fight against all those whom the caliph was fighting, even if they belonged to the Tujibid family itself. His eldest son and one of his brothers would be held as hostages. If all these conditions were fulfilled, the caliph would name Muḥammad b. Hāshim as governor of Saragossa for life, and would acknowledge his right to name his own successor. 'Abd al-Raḥmān III entered Saragossa on 21 November 326/937 and the document of "submission" was solemnly sworn to in the mosque in the presence of a great number of witnesses.⁸ The caliph ordered the destruction of the town's walls, the same policy he had previously followed in other conquered towns.

'Abd al-Raḥmān III had managed to stop the rebellious trends in the Upper March, at least momentarily, by granting a high degree of autonomy to its local ruler; the same had happened previously in Toledo. But even this half-victory for the Cordoban caliph aroused resentment among the people of the frontier, as became clear during the expedition against Simancas.

Until that time, campaigns had been directed against the northeastern frontier region, where Christian expansion could be more easily checked thanks to the presence of Muslim settlements and fortresses in the Ebro valley. Now, however, the caliph decided to concentrate his efforts on the frontier with Jilliqliya, an area corresponding to modern day Galicia and León, where Muslim settlements—often formed by Berber tribal groups—and fortifications were few and far between. The commander Aḥmad b. Muḥammad b. Ilyās—who had been named governor of Badajoz to fight against Umayya b. Ishāq al-Qurashī, the Marwānid rebel in Santarén—had conducted a campaign against the Leonese in 326/938, inflicting great harm on them and sending two hundred severed heads, mostly of the inhabitants of Zamora, on to Cordoba.⁹ Ibn Ilyās and another commander, Ibn Basil, invaded Jilliqliya and took over the fortress of *J.rar.sh*, where they killed the combatants and captured the other inhabitants, razed the fortress to the ground, and burned and sacked the neighboring settlements.¹⁰

⁸ Chalmeta, "La 'sumisión de Zaragoza' del 325–937."

⁹ Fierro, "Decapitation of Christians and Muslims in the Medieval Iberian Peninsula."

¹⁰ Ibn Ḥayyān, *Muqtabis*, 5:288, trans. 318.

In that same year, troops from Jilliqiya attacked the Muslims, but were defeated by Muslim troops led by Muḥammad b. Qāsim b. Ṭumlus. This commander chose a hundred prisoners and sent them to Cordoba, where they arrived on 2 March 327/939. As the caliph was at that moment in his villa (*munya*) of al-Nā'ura, the prisoners were conducted there, followed by Cordobans who had just finished their Friday prayer in the Great mosque. Al-Nāṣir sat in the upper hall of the villa, overlooking the river, to witness their execution. All the prisoners, one by one, were decapitated in his presence, a scene witnessed by the people of Cordoba who had reached the area and whose sentiments against the infidels—the chronicler says—were requited by God, for which they blessed their caliph.¹¹

2. *The Battle of Simancas-Alhandega in the Year 327/939 and Why It Was Called "The Battle of the Ditch" (al-Khandaq)*

In June 327/939, 'Abd al-Raḥmān III marched against lands of Castile and León, aiming at the town of Simancas, in an area where the Christians were pushing southward in the Duero valley. The caliph gathered an army which was powerful in both men and equipment, after sending out letters summoning to jihad. In Toledo, the caliphal army was increased with troops of the Berber Banū Dhī l-Nūn, of Furtūn b. Muḥammad, the lord of Huesca—who turned out to be the great traitor in this story—and of the Tujibid lords of the Upper Frontier. In August 327/939, an encounter between Christians and Muslims in the region of Simancas ended with a Muslim defeat. Muslim and Christian sources give different versions of the sequence of events and of the place of the encounter, as well as of its outcome. This discrepancy has been extensively analyzed by Pedro Chalmeta,¹² who is greatly influenced in his interpretation of "what happened" by the narrative in Ibn Ḥayyān's chronicle, which he considers to be trustworthy. Chalmeta does not, however, acknowledge the extent to which that narrative was influenced by Umayyad attempts to minimize the extent of the defeat of a campaign in which the caliph had made a major political

¹¹ Ibid., 5:292, trans. 322–23.

¹² Chalmeta, "Simancas y Alhandega"; idem, "Después de Simancas-Alhandega. Año 328/939–940"; idem, "Simancas-Alhandega: al año siguiente"; Molénat, EI² art. "Shant Mānkash."

and religious investment, as we shall see shortly. Marilyn Waldmann, among others scholars, has pointed out that historians of Islamic societies have tended to use historical narratives “almost exclusively as unstructured, uninterpretative mines of factual information,”¹³ a comment that clearly reflects Chalmeta’s approach.

Despite their efforts at minimizing the extent of the defeat, the Muslim sources leave no doubt that al-Nāṣir’s army suffered defeat; that some Muslim troops and commanders behaved treacherously (especially the lord of Huesca, Furtūn b. Muḥammad); that many Muslims died; and that even the caliph saw his own life in danger. ‘Abd al-Raḥmān III was eventually rescued, but the Christians took possession of his symbols of power (*al-ālāt al-sultāniyya*) and even of his copy of the Qur’ān,¹⁴ no small embarrassment for someone who bore the title *al-Nāṣir li-dīn Allāh* (“he who brings about victory to God’s religion”) and who had launched the campaign against Simancas as a demonstration of his own power and of God’s.

The campaign was in fact known as the *ghazwat al-qudra*, “the campaign of Power,”¹⁵ a name loaded with Qur’ānic and eschatological connotations.¹⁶ A sentence in one of the letters sent by the caliph to muster his army became famous: “May your levying be not [merely] a levying, but rather a ‘congregation’ (*wa-l-yakun ḥashduka ḥashran lā ḥashdan*).”¹⁷ As an eschatological term, “congregation” (*ḥashr*) connotes the congregation of the Last Hour.¹⁸ Atmospheric phenomena

¹³ Waldmann, *Toward a Theory of Historical Narrative*, 3; see also Lange, *Justice, Punishment and the Medieval Muslim Imagination*, 11; Azmeh, “Histoire et narration dans l’historiographie arabe.”

¹⁴ On this loss, see now Zadeh, “From Drops of Blood: Charisma and Political Legitimacy in the *translatio* of the ‘Uthmānic Codex of al-Andalus.”

¹⁵ This is found in the *Akhbār Majmū’a*, see Chalmeta, “Simancas y Alhandega,” 384. Certain namings seem doomed from the outset, as in the Invincible Armada and Saddam Hussein’s “Mother of all Battles.”

¹⁶ On the meanings of the root *q.d.r* in the Qur’ān, see EQ arts. “Authority” (Kadi) and “Fate” (Karamustafa). It appears in the regnal title of the ‘Abbasid caliph al-Muqtadir (r. 295/908–320/932), ‘Abd al-Raḥmān III’s contemporary, in a reference to Qur’ān 54:54–55, which mentions an all-mighty ruler (*malik muqtadir*). ‘Abd al-Raḥmān III assumed his caliphal title against both the ‘Abbasid al-Muqtadir and the Fatimid caliph in North Africa.

¹⁷ Ibn Ḥayyān, *Muqtabis*, 5:293, trans. 323.

¹⁸ EI² art. “Qiyāma” (L. Gardet). The term *ḥashr* had been used before to denote extraordinary military events, as when Mūsā b. Nuṣayr, the conqueror of al-Andalus, wrote to the Umayyad caliph in Damascus saying that “These are not conquests, but this rather is like the day of the congregation (*al-ḥashr*).” Ibn ‘Abd al-Ḥakam, *Futūḥ Miṣr*, 208.

that took place that summer, such as a solar eclipse and a darkness that covered the sun for seven days, also indicated that the times were out of the ordinary.¹⁹ The texts that have been preserved regarding this campaign, especially the official “report” recorded by Ibn Ḥayyān, abound in religious terminology: the term *jihād* recurs, the Christians—referred to as “pigs”—are humiliated and destroyed by God, Simancas is the house of infidelity and a fortress of God’s enemies, al-Nāṣir leads his troops against them to show the truth of God’s word, the infidels live in a pigsty, God helps the Muslims in the battle, and the Christians are confident in their Satan (*shayṭān*) who, however, leads them astray. This rhetoric clashes with the battle’s actual result, but it reflects both the original intention of the campaign and the subsequent attempts at hiding its catastrophic outcome.

Why did al-Nāṣir decide to launch this campaign with such strong religious overtones? Several factors were involved. One of these was the presence in the area of the Umayyad rebel Umayya b. Ishāq al-Qurashī who, as we have already mentioned, had established alliances with the Christians. When he moved to the area, Umayya must have found support among the Berbers of these frontier regions as his relative, the Marwānid Ibn al-Qiṭṭ, had done before him.²⁰ This Ibn al-Qiṭṭ was an Umayyad prince who in the year 288/900—during a time when Umayyad rule had grown markedly weaker in al-Andalus, under the emir ‘Abdallāh—left Cordoba and gathered a Berber army in the area of Nafza (Lower and Middle Marches). He presented himself as al-Mahdī, the one who will make religion triumph and who will protect the Muslims, and he claimed that God had granted him the ability to perform miracles (*karāmāt*).²¹ Ibn al-Qiṭṭ’s followers came to consider him a prophet (*aqāmūhu maqām al-nabī al-ṣādiq qawluhu*). Residents of the frontier areas swarmed around him to perform jihad under his leadership. Ibn al-Qiṭṭ promised them victory over their enemies, the people of Jilliqiya, and also claimed that at

¹⁹ This solar eclipse is mentioned in a contemporary Andalusī work, see Oliveras, “El De imaginibus caelestibus de Ibn al-Hātim,” 174; also D. Cook, “Messianism and astronomical events,” dealing mainly with the coincidence of messianic movements with comets.

²⁰ Fierro, *La heterodoxia en al-Andalus*, 106–11.

²¹ For example, Ibn al-Qiṭṭ took a bunch of dry sticks in his hand and squeezed them until liquid was produced (cf. the similar miracle attributed to the Prophet in Ibn Hazm, *Jawāmi’ al-sīra al-nabawīyya*, 8, n. 4). The extant Arabic sources state that Ibn al-Qiṭṭ was a magician and soothsayer (*sha’bādh, kāhin*).

the moment when he approached Zamora, the walls of that Christian town would collapse. However, when he attacked Zamora, his army was defeated and his severed head was suspended from the walls of the town. This Ibn al-Qiṭṭ was an Umayyad who had a close relationship with the Marwānid family that we have already mentioned. The Umayyad branch to which he belonged descended from Hishām I (r. 172–80/788–96). This Cordoban emir had been married by his father 'Abd al-Raḥmān I to an Umayyad woman, Kanza, daughter of 'Abd al-Malik b. 'Umar, ancestor of the two Qurashī brothers whose rebellious behavior prompted the caliph 'Abd al-Raḥmān III to intervene. The fact that the two brothers are referred to as "al-Qurashī" may indicate that they belonged to that tribe on both the patrilineal and the matrilineal sides.²²

Ibn al-Qiṭṭ attempted to conquer Zamora by presenting himself as a messianic and even prophetic figure, inviting his followers to perform jihad at a time when the Umayyad emir 'Abdallāh ('Abd al-Raḥmān III's grandfather) barely controlled any territory outside the capital of Cordoba. Almost forty years later, 'Abd al-Raḥmān III attempted something similar, with a call to jihad tinted with eschatological connotations. Like Ibn al-Qiṭṭ, 'Abd al-Raḥmān III set out to attack a Christian town in the Duero valley, although in the caliph's case the town to be attacked was populated not only by infidels, but also by his own relative Umayya b. Ishāq al-Qurashī, who belonged to a branch of the Umayyad clan whose members were clearly aiming to become rulers in al-Andalus by exploiting the religious beliefs and expectations of the frontier population, especially the Berbers.²³

²² The Umayyad emirs of al-Andalus were mostly descendants of concubines. One of 'Abd al-Raḥmān III's sons was borne from his marriage to a Qurashī woman and this son is referred to as Ibn al-Qurashiyya precisely to stress this rare fact. Nonetheless, the chosen heir to the caliphate was not this Ibn al-Qurashiyya, but rather his half-brother al-Ḥakam, the son of a slave woman. It was because of this non-Arab matrilineal descent that during the period of the *fitna* (second half of the third/ninth century), the Arab (Muḍar) lord Ibn Jūdi, claiming that the Umayyads had ceased to be Arabs, exhorted them to abandon their kingship (*mulk*), since it belonged to the Arabs (*al-mulk li-abnā' al-'arab*). See Fierro, "Genealogies of Power in al-Andalus."

²³ There was a Kutāma settlement south of Zamora, in the area known as Saktān. The Banū Saktān clan of the North African Kutāma had been the first to be won over by the Fatimid missionary Abū 'Abdallāh in 280/893: Halm, *Empire of the Mahdi*, 41–42, 55, 102–3. The possibility of Fatimid missionary activity in this area has to be taken into account, see Fierro, "¿Hubo propaganda fatimí entre los Kutāma andalusíes?"

Umayyad rule in the Iberian Peninsula was also threatened by the Fatimids, the Ismā'īlī dynasty that had established a caliphate in Ifrīqiya (Tunisia) in 296/909 and was determined to extend its area of influence westwards, into an area that was vital to the Umayyads in both economic and political terms. It was precisely because of this Fatimid threat that 'Abd al-Raḥmān III had first been named emir and afterward, in 316/929, had adopted the title of caliph.²⁴ The more public rationale for this adoption was that the 'Abbasids had named a minor as caliph and were incapable of protecting the holy places of Islam. The argument was reinforced when the Carmathians (a branch of the Ismā'īlīs) sacked Mecca and took away the Black Stone in 317/930, causing much scandal and sorrow among the Muslims. It was not until 327/939, following two years of negotiations with the 'Abbasid caliph, that the Carmathians finally allowed a pilgrim caravan to enter Mecca.²⁵ Thus, when he launched his campaign against Simancas, 'Abd al-Raḥmān III not only faced internal threats from members of his own family, but was beginning to see that his main, publicly-stated reason for breaking away from the 'Abbasid caliphate was losing its religious appeal.

The term *al-khandaq* (the ditch or trench), which was used to identify the battle which led to the defeat of the caliphal army, referred to a "ravine"—or, according to the official report on the campaign, "ravines" (*khanādiq*)—where the Christian troops defeated the Muslims. According to some sources, however, this episode was a second encounter that took place after the battle near the town of Simancas. For this reason, modern scholarship usually speaks of two battles, that of Simancas and that of *al-khandaq*, which in the Christian sources becomes transformed into *Alhandega*.

Pedro Chalmeta devoted much thought and energy to making chronological and geographical sense of the confused information contained in the sources. However, he did not succeed in finding a convincing location for the "ravine" episode, even after personally seeking it in places that were far away from the setting mentioned in the sources. It does not seem to have occurred to Chalmeta that such confusing information could have been imparted deliberately, in order

²⁴ Fierro, "Por qué 'Abd al-Raḥmān III sucedió a su abuelo"; idem, "La política religiosa de 'Abd al-Raḥmān III."

²⁵ Halm, *Empire of the Mahdi*, 381–82.

to give a blurred picture of what actually happened and especially in order to attach the sense of *al-khandaq* to a geographical feature of the territory where the military encounter took place, thus pushing aside other possible interpretations.

After all, the term *al-khandaq* is heavily charged from a religious and political point of view. It is anything but a neutral term when used within an Islamic context, as it evokes an important episode in Islamic historical memory and the Islamic *imaginaire*. Al-Khandaq was a famous event from the time of the Prophet, a battle in which Muḥammad defeated the Meccans.²⁶ Among the latter was a central figure of the Umayyad dynasty. The Quraysh of Mecca, still pagans, attacked Medina—the town where the Prophet had taken refuge from them—under the leadership of Abū Sufyān, the ancestor of the Umayyads. Muḥammad ordered the digging of a trench (*khandaq*),²⁷ thanks to which the assailants were repelled. This episode could be (and was) used against the Umayyads to remind them that their links to the Prophet—crucial for supporting their legitimacy within an Islamic polity—had initially been inimical and militant. Because of this, the battle of *al-khandaq* may have been an easy pick as an anti-Umayyad propagandistic tool. Years later, this is precisely what the Fatimid caliph al-Mu'izz did when, in referring to an attack that al-Nāṣir ordered against the Fatimid capital of al-Mahdiyya in 335/946, he pointed that his Umayyad enemies were compelled to leave in defeat and humiliation, exactly as had happened to their ancestor Abū Sufyān on the day of *al-khandaq*.²⁸

References to 'Abd al-Raḥmān III's defeat at Simancas as the battle, or even as the campaign of *al-khandaq* could have been intended to link this defeat together with the defeat which the Prophet inflicted on 'Abd al-Raḥmān's ancestor. Therefore, the intended message was that the defeat was deserved, just like Abū Sufyān's defeat over three centuries earlier: this was the same message conveyed by the Fatimids when they compared the Umayyad defeat at Mahdiyya with the Abū

²⁶ See the detailed treatment in Hamidullah, *The Battlefields of the Prophet Muhammad*, 61–78; Watt, EI² art. "Khandak."

²⁷ The reference to a defensive trench that Ramiro II ordered near Simancas could be seen as influenced by the Prophetic precedent: Lévi-Provençal, *España musulmana hasta la caída del califato de Córdoba*, 292.

²⁸ Yalaoui, "Controverse entre le Fatimide al-Mu'izz et l'Omeyyade al-Nāṣir," 14, quoting Ibn Khaldūn. For the Fatimid polemical use of the battle of al-Khandaq against the Umayyads see also al-Qāḍī al-Nu'mān, *al-Manāqib wa-l-mathālib*, pp. 164–170.

Sufyān's defeat at al-Khandaq. Thus, the name given to the defeat at Simancas could have been chosen in order to use it against the caliph.

As we have already noted, when the commander Ibn Ilyās achieved a great victory against the count of Barcelona in 324/935–36, the court poet Ibn 'Abd Rabbihi wrote a poem in which he compared that battle with two famous battles of the Prophet, Ḥunayn and Badr. Accordingly, it is possible that in this case it was the official Umayyad historiography itself that applied the name "battle of al-Khandaq" to the defeat at Simancas, so as to evoke yet another of the Prophet's victories (in addition to Ḥunayn and Badr), and to equate the traitors of Simancas with the "hypocrites" of Medina.²⁹ But here the term used (*al-khandaq*) alluded, ambiguously, both to a victory of the Prophet and to a defeat of an Umayyad ancestor. The possibility that it was used against the ruling caliph should therefore be taken into account.

Who could have used the name as anti-Umayyad propaganda? The defeat at Simancas could have been discussed in the following fashion: 'Abd al-Raḥmān III has been defeated at Simancas, just as his ancestor Abū Sufyān met defeat at the battle of *al-khandaq*; the battle of Simancas has been for the caliph what the battle of *al-khandaq* was for his ancestor; Simancas is the *al-khandaq* of 'Abd al-Raḥmān III. Censure of the caliph in such terms would explain why the authors of the official report emanating from 'Abd al-Raḥmān III's chancery felt compelled to refer to *al-khandaq*, but turning it around in such a way as to evoke the *victory* of the Prophet while playing down any link with the *defeat* of the caliph's ancestor.³⁰ Thus, the official report starts by mentioning the existence of *khanādiq* or ravines in the territory, and goes on to say that it was in one of these that the Umayyad troops suffered great harm, but only after inflicting serious damage on the Christians.³¹ These are the ravines that Pedro Chalmeta searched for in vain during his walks in the neighboring area of Simancas.

²⁹ See Ṭabarī, *Ta'rikh*, transl. Fishbein, 8–9, 12–13, 16–17; and below, n. 55, on the Banū Qurayṣa. I wish to thank Asad Q. Ahmed for his suggestions regarding this connection.

³⁰ Ibn Ḥayyān, *Muqtabis*, 5:300, trans. 330, quoting Qur'ān 33:11 (*wa-zulzilū zilzālan shadīdan*), linked to the Prophet's defeat at Uhud (see Hamidullah, *Battlefields of the Prophet Muhammad*, 61). Whereas the Qur'ānic verse refers to the Muslims, in the official report the Christians are the ones "shaken by a mighty shaking."

³¹ Ibn Ḥayyān, *Muqtabis*, 5:300, trans. 331–32. Al-Mallah discusses a similar case in "A Victory Celebration after a Military Defeat? Al-Mutanabbī's 'Ayniyyah of 339/950," analyzing an example of the "ideology of victory" identified in McCormick's *Eternal*

Umayyad official documentation on the battle of Simancas also aimed to minimize the extent of the defeat, while insisting on the treacherous behavior of those caliphal troops who defected and thus helped the enemy. The presence along the frontier of many people who felt no loyalty towards the caliph was neither new nor surprising. We have already seen how the lords of the frontiers resented any attempt at limiting their autonomy, at forcing them to pay taxes, and at obliging them to take part in the expeditions organized from Cordoba. Such disaffected elements had already been present in the Umayyad attack against San Esteban de Gormaz in 305/917, where some of the people of the frontier are described as “hypocrites” because their treacherous behaviour helped the Christians defeat the Muslims. Motivating some of the frontier lords was a desire to weaken the caliph in order to strengthen their own autonomy. Meanwhile, some members of the caliphal army (*jund*) had their own grievances, chief among which was the fact that command had been entrusted to Najda b. Ḥusayn, a new man who did not belong to the old Arab or Umayyad *mawlā* military elites and whose nomination had aroused much resentment.³²

Thus it may have been the disaffected frontier troops and their commanders who put forth the Prophetic reference against the caliph, whose policy they deemed dangerous because it forced them to depart from their traditional ways of doing things. Here we should remember the reaction of Muṭarrif the Tujibid, when the caliph ordered him to sever his relations with the Christians: “How can I cut my right hand with my left?” The frontier lords were accustomed to using both hands in order to survive, but now they were forced, as Muslims, to choose one hand over the other.

The use of the term *al-khandaq* to refer to the defeat at Simancas thus appears to have been a way to criticize and to delegitimize the reigning caliph, perhaps within a broader movement that aimed to promote the ascension of a pretender who belonged to another branch of the Umayyad family and whose military career—like that of his brother Aḥmad and his kinsman the Mahdī Ibn al-Qiṭṭ—would have

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³² 'Abd al-Raḥmān III looked for new recruits for his army who would be dependent only on him. Accordingly, he began to use slaves as military commanders in what seems to have been another imitation of the Fatimids. See Meouak, *Saqaliba, eunuques et esclaves à la conquête du pouvoir*.

been linked to the Marches of al-Andalus. Because of this connection, Umayya could be expected to be more favorably disposed towards the local frontier lords, especially if he owed his rule to the support they had given him.

3. *The Consequences of the Battle: Punishment and Eschatology, and Eschatology in Stone*

The defeat at Simancas coincided with a solar eclipse and was followed by a darkness that covered the sun for seven days. The defeat had many other momentous consequences, such as the captivity of Muḥammad b. Hāshim al-Tujībī in León for more than two years, and the severe punishment that the caliph inflicted on the traitors. Furtūn b. Muḥammad b. al-Ṭawīl,³³ one of the lords of the Upper March who contributed to the defeat of the caliph, was crucified alive in Cordoba, as were also ten members of the army who had fled during the battle. These punishments were carried out in a manner charged with a deep eschatological symbolism.

Captured after fleeing from the battlefield, Furtūn b. Muḥammad b. al-Ṭawīl was sent by al-Nāṣir to Cordoba with two loyal servants who were informed of the punishment that was to be inflicted upon the prisoner. On the way to Cordoba, Furtūn's tongue was cut out. This punishment had a long tradition under the Umayyads,³⁴ but had progressively been abandoned, since Islamic law forbade mutilation. The harshness of the punishment, and the disregard for Islamic norms that were well-established in al-Andalus by the fourth/tenth century, may indicate that what the Tujibid lord could say was perceived as very damaging and threatening—perhaps even the description of the defeat as the *al-khandaq* of the caliph.

When the caliph reached Cordoba, Furtūn b. Muḥammad was already hanging on a cross, having been crucified together with other “deserters” at the Bāb al-Sudda, where a large multitude congregated to watch their suffering. The Bāb al-Sudda was the major gate of the

³³ Ibn Ḥayyān, *Muqtabis*, 5:296, trans. 301; 5:302–3, trans. 334–35; Chalmers, “Simancas y Alhandega,” 371–80.

³⁴ A poet who attacked the Cordoban emir ‘Abd al-Rahmān I had his tongue cut out: Terés, “El poeta Abū l-Majšī y Ḥassāna la Tamīmiyya.” There are many examples under the Umayyads of Damascus, such as Ghaylān al-Dimashqī, see Hawting, “The Case of Ja’d b. Dirham and the Punishment of ‘Heretics’ in the Early Caliphate.”

royal palace opening over the avenue along the river. A witness who fainted at the horrific sight and whose narrative was recorded by Ibn Ḥayyān, offers us an unusual insight into how the public display of caliphal violence was experienced.³⁵ The setting already indicated that something out of the ordinary was going to happen. Al-Nāṣir had ordered the construction of an elevated area (*al-'ulliyya*), which was raised over the depository (*khizāna*) called “the depository of sin” (*al-dhanb*),³⁶ to the right of the terrace (*saṭḥ*) overlooking the Bāb al-Sudda. This elevated area had merlons or battlements and was divided into a series of ten gates, before which ten high crosses were erected. There the caliph sat to oversee the parade of the army on the day of Minā that corresponded to 27 September, more than a month after the defeat at Simancas.

When the military parade was about to begin, the caliph ordered the *ṣāhib al-madīna*³⁷ to hang on the crosses ten members of the army who had been among the first to flee. His order was carried out while the victims cried for help, clemency and pardon, supplications that only had the effect of increasing the caliph's anger. Al-Nāṣir addressed them directly, saying: “Look at those poor people—indicating the populace witnessing the scene—who gave us authority, becoming our obedient servants in exchange for being defended and protected by us. Yet, if we become their equals in cowardice before the enemy and in lack of character, then wherein resides our superiority, if we only wish to save our lives without caring about losing them? God will not allow this. Now you must enjoy the consequences of your acts.” Without allowing himself to be moved by their petitions, excuses, and recollections of their previous accomplishments, the caliph ordered that they should be killed on their crosses by lances.³⁸

This is a striking public pronouncement of the foundations of the political contract between ruler and ruled.³⁹ Also striking is the entire scene in which the pronouncement is made. It clearly conveys

³⁵ See Fierro, “Violencia, política y religión en al-Andalus durante el s. IV/X.”

³⁶ Chalmeta, “Simancas y Alhandega,” 380 translates *al-dhanb* as “crime” instead of “sin.” But the message the caliph wanted to convey was that every crime against him was a sin against God.

³⁷ This office was peculiar to the Cordoban Umayyad administration: Vallvé, “El zalmedina de Córdoba.”

³⁸ Ibn Ḥayyān, *Muqtabis*, 5:302–3, trans. 334–36. This mode of execution was according to the Mālikī legal doctrine.

³⁹ Crone, *Medieval Islamic Political Thought*, esp. 297–300.

an eschatological message:⁴⁰ the royal palace represents salvation, the exterior where the deserters are crucified is hell, and the elevated area with the merlons indicates the border between Paradise and Hell as a representation of the *a'rāf*, that is, the dividing wall that separates the inhabitants of Paradise from those of Hell.⁴¹

The day chosen for the public execution had also great symbolic value. The day of Minā is the tenth of Dhū l-Ḥijja, the day of the Sacrifice Festival, when the head of each family sacrifices a victim. In this case, the caliph sacrificed ten military men (a number determined by the day of the execution?), in what appears to be a collective expiation of the guilt of a part of the army.⁴² Everything seems to have been planned to carry out an exemplary punishment within a highly symbolic context. This public execution served as a demonstration of how far the caliph was willing to go against those who dared to disobey him or to challenge his rule.

What the caliph could not control was a gesture of courage and desperation on the part of Furtūn who, deprived of his tongue and therefore of his voice, managed to collect enough saliva and blood in his mouth to spit on the caliph. Although he did not reach his target, the message could not be more explicit. Despite 'Abd al-Raḥmān's adoption of the caliphal title and his great achievements in almost thirty years of government, there was still someone who dared to defy him and even to spit on him. 'Abd al-Raḥmān would never again expose himself to such an insult.

Not all those who had acted in cowardly or treacherous fashion at Simancas were punished, an indication that the caliph could not or did not want to extend his revenge to all of them. Until that moment he had followed a clear policy aimed at imposing direct control over the frontier regions, although the reality was that he had to content himself with indirect control, as the surrenders of both Toledo and

⁴⁰ Lange has explored the links between the punishment inflicted by the rulers and his representatives and the divine punishment, in *Justice, Punishment and the Medieval Muslim Imagination*.

⁴¹ R. Paret, EI² art. "A'rāf." The book on Paradise by the third/ninth-century scholar 'Abd al-Malik b. Ḥabīb offers, in a section devoted to the *a'rāf*, a description of what 'Abd al-Raḥmān III must have had in mind when he ordered the construction of platforms for the execution: 'Abd al-Malik b. Ḥabīb, *Kitāb waṣf al-firdaws*, 92–95.

⁴² Some years later, the caliph chose the same day for the execution of his own son, an act which some sources also described as sacrificial: see Fierro, "Emulating Abraham: the Fatimid *al-Qā'im* and the Umayyad 'Abd al-Raḥmān III."

Saragossa proved. The campaign of Simancas also proved that the autonomy of local rulers was there to stay and that the question asked by Muṭarrif, the Tujībid in Calatayud—how could he be expected to cut his right hand with his left?—reflected a dynamic that could not be easily escaped: for the frontier lords, the balance in their alliances between Cordoba and the Christian kingdoms was a vital and integral part of their existence.

From 327/939 onward, military activity in the Upper Frontier was left in the hands of the local lords, those who, in Ibn Ḥayyān's words, had inherited their lands from their ancestors and had given sufficient proof of their courage and military ability. Each year, the caliph renewed their right to rule over their lands, sending them gifts and offering them magnificent receptions during their visits to Cordoba. The absence of serious rebellions during the remaining years of al-Nāṣir's caliphate and that of his successor has been interpreted as proof that the caliph and those local lords reached a stable understanding of the acceptable balance between central control and local autonomy.

Simancas was the last expedition of the caliph, who never again took part in military campaigns. Did he fear another betrayal on the part of the army, with the risk of putting his life in danger? Or did he fear the loss of legitimacy entailed by military defeat? The fact is that from then onward, the caliph who had fought thirteen campaigns in twenty years concentrated his efforts on the building of Madīnat al-zahrā', directing toward this palace town the eschatological expectations that had been recorded in the letter that he had sent inviting his followers to jihad in the Simancas campaign. Madīnat al-zahrā' was built as paradise on earth,⁴³ a visual reminder that salvation was ensured for Muslims by the Umayyad caliph. Built in stone, it was a more powerful and lasting reminder than the execution of the traitors of Simancas had ever been.

4. *Concluding Remarks*

During the first part of the reign of 'Abd al-Raḥmān III, the Christians, especially those of Jilīqiya, were able to inflict great damage on the

⁴³ The different reasons for the building of this palace town are analyzed in Fierro, "Madīnat al-zahrā', el Paraíso y los fatimies."

Muslims, as in Ordoño II's attack against Évora in the year 301/913.⁴⁴ Ibn Ḥayyān used the term *jihād* to describe Ordoño II's expedition against the Muslims in 303/915.⁴⁵ Albrecht Noth interpreted this surprising usage of *jihad* as indicating that *jihad* is not always a term with religious connotations, and that this instance of the term, designating a Christian attack, indicates that it had acquired a "secular" meaning.⁴⁶ However, Judith Loebenstein considers that this episode indicates precisely the opposite: just as the Muslims understood their fight against the Christians as a religious struggle, they saw their enemies' actions in the same context and understood them as motivated by similar religious sentiments.⁴⁷ If this is so, then it cannot have been by chance that the chronicler Sampiro applied the epithet *rex catholicus* (Catholic king) to none other than Ordoño II when commemorating one of his victories, as he applied it also to Ramiro II in the context of his victory over the Muslims at Simancas.⁴⁸

In that same year, 303/915–6, two Muslim defectors (*nuzzā'*) who had previously gone over to the Christians betrayed Ordoño II, who then condemned them for their "desire to protect Islam" and ordered them beheaded.⁴⁹ This was not the first episode in which Christians decapitated Muslims. The Rotense version of the *Crónica de Alfonso III* mentions a victory of king Fruela I in 747 over some Muslim troops, whose commander is then beheaded.⁵⁰ There is a similar report from the days of Alfonso II the Chaste, regarding a Muslim rebel whose head was presented to the king; the other version of the same chronicle (*A Sebastian*) adds that all his followers were slain.⁵¹ The so-called *Historia Silense* records another case of decapitation, the aforementioned episode of a Muslim commander killed in battle whose head was displayed over the walls of San Esteban de Gormaz.⁵² The practice

⁴⁴ Ibn Ḥayyān, *Muqtabis*, 5:62–64, trans. 81–83.

⁴⁵ *Ibid.*, 5:83, trans. 103.

⁴⁶ Noth, *Heiliger Krieg und Heiliger Kampf in Islam und Christentum*, 22–23; see also Christys, "Crossing the Frontier of Ninth-Century Hispania," 49–50.

⁴⁷ Loebenstein, "Legal and Historical Aspects of Jihad in al-Andalus," 89–90. I wish to thank Judith Loebenstein for permission to quote from this dissertation.

⁴⁸ Isla, "Building Kinship on Words," 258.

⁴⁹ Ibn Ḥayyān, *Muqtabis*, 5:81–82, trans. 101–2.

⁵⁰ Gil Fernández, Moralejo and Ruiz de la Peña (eds.), *Crónicas Asturianas*, 134, 210.

⁵¹ *Ibid.*, 214–15.

⁵² *Historia Silense*, xcv–xcvi, and *Crónica de Sampiro*, 310. See also Rodríguez García, "Cabezas cortadas en Castilla-León, 1100–1350."

of cutting off enemies' heads, well documented in Arabic sources from early times, thus also appears as one of the means by which Christian kings made examples of their victories, and thus demonstrated their power.

In this context of a growing Christian military threat, understood as equivalent to Muslim jihad, 'Abd al-Raḥmān limited himself, during the first three decades of his reign, to reacting to the military and expansionist activity of Navarre, León, and Castille. The Umayyad's aim seems to have been to defend and to maintain the frontiers of his reign, without making any serious attempt at increasing the territory under his rule. In fact, the Muslim campaigns usually took place after the Christians had already advanced or undertaken military attacks, taking advantage of the fact that the Umayyad army was busy in the central lands of al-Andalus and of the involvement of the frontier lords in internecine conflicts and their willingness to establish alliances with the Christians in order to halt the Cordoban attempts at limiting their autonomy. The people of Toledo, for example, are described by Ibn Ḥayyān as always willing to call on the Christians to intervene in their affairs, looking for their help and protection against the Umayyads.

From the beginning of the fourth/tenth century, the greatest danger for the Umayyads was the Christian settlements on the left bank of the Duero river. This does not mean that the Duero had been depopulated, an interpretation which traditional Spanish historiography has privileged. If the inhabitants of the area have left almost no trace of their existence, this is because they did not form part of any visible political entity. The so-called repopulation of the Duero valley was partly a process whereby the local population increased its numbers with the arrival of emigrants both from the north and the south, but it mostly reflects the emergence of new political and military contexts framing the activities of this population. In 308/920, Muslim troops participating in the campaign of Muez were surprised to see prosperous villages and extensive cultivated lands around Clunia. Toward 930, a certain degree of unification of the different Castilian counts was achieved, a process of convergence that has been understood as the birth of a new political entity, the county of Castille. Around that time, moreover, Simancas, the town attacked in 327/939, became a bishopric.

Christian expansion was contained after the third decade of the fourth/tenth century because of internal conflicts and because of major military investment on the part of the Muslims. The Muslims avoided frontal encounters with the Christians, although they did not

stop harassing them. There were some attempts at Muslim repopulation of the frontier areas, especially in the Middle March where Christian settlement and expansion had become especially dangerous. Thus, Medinaceli became a new centre for Muslim military activity. It was fortified in the year 335/946 by the caliph's freedman Ghālib, accompanied by a jurist of Berber origin, Muḥammad b. 'Abdallāh b. Yaḥyā b. Abī 'Īsā. Another jurist of Berber origin, Mundhir b. Sa'īd al-Ballūṭī, also acted as judge of the frontiers between 330/942 and 334/945, and was responsible for relations with the Christian kingdoms. This presence of jurists acting in the name of the caliph seems to indicate that the objective was to implement a policy of conviction, rather than of confrontation, toward the rebellious Muslim population of the frontier areas.

But if Christian expansion was halted, the campaigns organized almost every year by 'Abd al-Raḥmān III and the frontier lords against the Christian kingdoms did not reverse any of the gains made by the Christians. The campaigns usually took place in summer to ensure the maintenance of the army, but also to destroy the enemy's harvest. The aim of the campaigns was thus limited to weakening the enemy so that there would be no attacks on his part, and also to obtaining booty and captives. The inability to recover the lost territories and to achieve military superiority seems to have been due, on the Muslim side, to tensions between the central government and the local autonomous rulers, to competition within and among the local frontier lineages, and also to the opening of a second frontier in North Africa.

On the North African shore the threat was not only military, but also political and religious. The Fatimid conception of the caliphate obliged the Umayyads to reformulate their religious policies in very complex ways,⁵³ starting with the nomination as emir of the young 'Abd al-Raḥmān III and his adoption of the caliphal titles, and also including the building of Madīnat al-zahrā' and the use of violence to remind the Andalusīs that they were now ruled by someone who was leading them to salvation and whose prerogatives were not inferior to those of the Fatimid *imām*. The increasing display of enemies' severed heads and other instances of exemplary punishment were directly related to the proclamation of the caliphate.

⁵³ See the pioneering work of Martinez-Gros, *L'idéologie omeyyade*, on the interplay between the Fatimid and Umayyad legitimacies.

The “campaign of Power” against Simancas—motivated by Christian expansion, by the threat from an Umayyad pretender active in the area, and by the recovery of the ‘Abbasid caliphate in Iraq—clearly showed the limits of Umayyad power regarding the frontier lords. Indeed, from the frontier lords’ point of view, Simancas was to ‘Abd al-Raḥmān III what the battle of al-Khandaq had been to his ancestor Abū Sufyān. Having learned this lesson, the Cordoban caliph never again commanded a military campaign in person. What he did instead was to perform in his capital an exemplary and fearsome execution of the traitors, in order to imprint the notion into the minds of the Cordobans that disobeying the caliph was a sin, that salvation depended on following him, and that the punishments of Hell awaited his enemies.⁵⁴

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⁵⁴ Death and hell were also the fate of the Banū Qurayẓa, who betrayed the Prophet at the battle of al-Khandaq: Ṭabarī, *Ta’rikh*, trans. Fishbein, 27–41; Kister, “The massacre of Banū Qurayẓa.”

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DREAMS OF HAGIA SOPHIA: THE MUSLIM SIEGE OF
CONSTANTINOPLE IN 674 CE, ABŪ AYYŪB AL-ANṢĀRĪ,
AND THE MEDIEVAL ISLAMIC IMAGINATION

Nancy Khalek

Historical writing in the formative period of Islam, from the first to the third centuries, is not easily divisible into distinct genres. Collections of *akhbār* ranged in subject from battle days to local events, from birth- and death-dates to biographical sketches and genealogical lists. Regional schools of early historical writing are notoriously difficult to discern, let alone to reconstruct.¹ This is not to say that there were no loose categories of writing which bore their own hallmarks, had their own foci, or charted similar trajectories. Some of these categories were interrelated, or interwoven, as in the case of biography with genealogy. One thing that is certain, however, is that *sīra* was an essential component of early Islamic historiography.

Biographical information is available both in works of which it is the specific focus, such as *ṭabaqāt* and *siyar*, and in other more “clinical” sources, such as *tasmiya* texts or genealogical works. By the middle of the third century AH, *‘ilm al-rijāl* and the insistence upon chains of transmission for the classification of *ḥadīth* material narrowed scholars’ appreciation of the potential of biographical material.² By *‘ilm al-rijāl* I mean to indicate works which aimed to comment

¹ Elad, “The Beginnings of Historical Writing by the Arabs: The Earliest Syrian Writers on the Conquests.”

² An excellent study of the development of the biographical genre in Arabic literature is Michael Cooperson’s *Classical Arabic Biography*. Cooperson notes that *‘ilm al-rijāl* was in fact the first subset of biography that was particular to *ḥadīth*. Previously, biography had been the purview of *akhbārīs*, whose work came before the application of the *isnād* as a necessary component of *ḥadīth*. The *Sīra* of the Prophet and his Companions remained under the control of *akhbārīs*, as they had been before the advent of *‘ilm al-rijāl*. For an especially interesting discussion of the relationship between history and biography, see especially p. 20ff. The contrast between annalistic records of a totality of events and narrative writing focused on a particular person highlights the conceptual boundaries Arabic authors conceived of when differentiating one category of writing from another.

on ḥadīth transmitters and texts with the intent of, in one formulation, weeding out bad transmitters. This genre—part biography, part prosopography—was unlike the broader categories of ṭabaqāt or madhhab-specific dictionaries in its distinctly critical (as opposed to documentary or laudatory) focus. For advocates of the isnād as a non-negotiable element of reliable narration, akhbārīs were remedial participants in a rigorous scholarly tradition. Yet, as Michael Cooperson puts it, “it was precisely the formalization of Ḥadīth criteria that left the Prophet’s sīra and the allied biographical and historical genres in the hands of the akhbārīs.”³ Further, biography qua biography did not go away. In addition to preserving narratives on the life of the Prophet and his Companions, early akhbārīs relayed information on “poets, singers, Qur’ān-readers and jurists [that is] at least as old as [that on] ḥadīth scholars.”⁴ While they eschewed the use of isnāds and came under attack by muḥaddithūn for doing so, narrators of akhbār nonetheless left a rich tradition in a body of texts which, while problematic, is a repository of invaluable information for the development of Islamic history and historiography.

The biographies of the ṣaḥāba were particularly vital to the medieval Islamic imagination. Singled out for their association with Muḥammad, and usually in the context of their military exploits in the days of the early conquests, the Companions’ biographies took on hagiographical dimensions. Their religious merits (faḍā’il) and accomplishments or feats (manāqib) became the subjects of a particular type of biography which suggests that in the process of formulating narratives of early Islamic history, representations of their authority held a currency which could be exploited by competing claimants to social, political, and spiritual power.⁵

As a case study of this phenomenon, the changing biography of one Companion, Abū Ayyūb al-Anṣārī, represents how a narrative was composed and recomposed over several centuries and toward various ends. The life of this particular ṣaḥābī seems to have been a poignant

³ Cooperson, *Classical Arabic Biography*, 5.

⁴ Ibid., 1.

⁵ Tayob, “Ṭabarī on the Companions of the Prophet: Moral and Political Contours in Islamic Historical Writing”; Yazigi, “*Ḥadīth al-Ashara*, or the Political Uses of a Tradition”; Kohlberg, “Some Zaydī Views on the Companions of the Prophet”; Afsaruddin, “In Praise of Caliphs: Re-Creating History from the *Manāqib* Literature.” Idem., *Excellence and Precedence: Medieval Islamic Discourse on Legitimate Authority*.

one for many groups, all of whom were seeking to make some claim, whether metaphorical or actual, over the holy city of Constantinople. Ottoman accounts which recount a series of unsuccessful sieges against the city in the centuries preceding its fall in 1453 CE elaborate upon Abū Ayyūb's relationship with the city as a whole and with the church of the Hagia Sophia in particular. Furthermore, they conflate, in some respects, Abū Ayyūb with another important figure of the early Islamic period, Maslama b. 'Abd al-Malik, the Umayyad general who also besieged Constantinople (decades after Abū Ayyūb did). Narratives of Abū Ayyūb and Maslama b. 'Abd al-Malik's exploits become intertwined in interesting ways in Ottoman accounts of the fall of the city; ways, as I shall argue, that demonstrate the evolution of an imperial agenda in the Islamic world, and the evolution of the hagiography of a Companion of Muḥammad in the medieval Islamic imagination.⁶

The life of Abū Ayyūb is, not surprisingly, recorded in all major biographical sources. Taken together these maintain a consistent narrative. Medieval Arabic biographies of Abū Ayyūb, while appreciative of his piety, military accomplishments, and love for Muḥammad, are only vaguely or minimally hagiographical when compared to later accounts. A shift from biography to hagiography, from Arabic to Ottoman versions of Abū Ayyūb's life, becomes integral to the story of the fall of Constantinople.

For Arabic biographers of the medieval period, the story of Abū Ayyūb's participation in an early siege against Constantinople is but one aspect of his biography. Eventually, Abū Ayyūb's story evolved from a recitation of his numerous military accomplishments into a hagiographical rendition of his death, interment, and miraculous legacy. Although Abū Ayyūb participated in all the early battles waged by the Prophet, and while he fought under several successive caliphs, his participation in the first Muslim siege of Constantinople (which began in 674 CE) became central to Ottoman historians. For them, unlike for earlier medieval Arabic authors, it was Abū Ayyūb's connection to Constantinople and its most prominent church that became his defining feature. The biography and eventually the legend of Abū Ayyūb is neither simple nor straightforward, and it

⁶ Yerasimos, *La fondation de Constantinople et de Sainte-Sophie dans les traditions turques*, 175.

contains a complicated arrangement of narrative units, architectural and geographical relationships, and imperial statements.

Arabic Accounts

Ibn 'Asākir includes a rather long biography of Abū Ayyūb in his *Ta'rikh Madīnat Dimashq*, a version which goes into much lengthier detail than those compiled by al-Dhahabī, Ibn Ḥajar, al-Mizzī, and other standard biographers. According to all of the sources, Abū Ayyūb lived and fought alongside Muḥammad and went on to engage in jihād under subsequent caliphs, on both sides of the Sunnī/Shī'a divide, in the first century of Islam. His loyalty to 'Alī during the latter's struggle against the sectarian Khārijites did not in any way prevent his later participation in the army under the leadership of the Umayyad Yazīd b. Mu'āwiya. All of these traditional biographies extol Abū Ayyūb as a pious if somewhat simple man, who was singled out during the first days of Muḥammad's initial arrival in Medina in 622 CE. (He had the honor of hosting Muḥammad in his home until another could be built.) These biographies enumerate the humility and generosity with which he treated the Prophet. Even the manner in which he was chosen as temporary host was seen as providential, as Muḥammad ordered the inhabitants of Mecca to allow the camel upon which he rode to "choose" where he would reside by coming to stop, spontaneously, in front of a particular abode.

Other elements in traditional biographies which we may consider mildly hagiographical focus on Abū Ayyūb's devotion to Muḥammad on a personal level. He was known to have followed the Prophet around, collecting hairs that fell from his beard; a practice which seemed to amuse and delight the latter, and which earned him no small amount of praise. At other moments, his devoted piety seems, in a way, child-like. When Muḥammad declined to eat a bowl of food he had received because it contained onions, Abū Ayyūb asked whether or not eating them was ḥalāl. His unease about the permissibility or impermissibility of onions represents the trope of innocent piety, illustrating a devotion and willingness to defer personal judgment. Another anecdote in his biography is similarly resonant with a trope that borders on naiveté. When Muḥammad married Ṣāfiya, a Jewish woman whose husband and other relatives he had killed during a raid on Khaybar, Abū Ayyūb guarded Muḥammad's tent on the wedding night. He later is said to

have articulated his intention to protect the Prophet against any retaliation on the part of his new bride.⁷

Niceties aside, there is no disagreement or ambiguity in the sources regarding Abū Ayyūb's valor. He fought alongside Muḥammad in all the major battles of the early period. He continued with the campaigns led by 'Umar b. al-Khaṭṭāb, and was equally devoted to 'Alī b. Abī Ṭālib. Despite Abū Ayyūb's lack of scholarly knowledge (he is said to have transmitted very few ḥadīths) 'Alī nevertheless charged him with authority in Medina when he departed for Iraq. Perhaps because of this relationship with 'Alī, Abū Ayyūb later fought against the secessionist Khārijites.

Among his many campaigns, Abū Ayyūb participated in the first siege against Constantinople, during which he died, either of old age or disease, between 674 and 678 CE.⁸ On his deathbed he summoned the commander Yazīd b. Mu'āwiya, who solicited last requests from the aging mujāhid. Abū Ayyūb asked that the soldiers press forward in their siege and bury his body as close to the city walls as possible. According to these accounts, a contingent of soldiers carried his body to the front lines. When Byzantine soldiers inquired as to their activities, they told them that they wished to bury one of the Companions of Muḥammad, a great mujāhid, beneath their city walls. A similar request for burial in Byzantine territory was said to have been made by the ascetic 'Abdallāh b. Muḥayriz al-Jumāhī, who lived in Jerusalem and died in the first century AH.⁹ Burial in or close to enemy territory was a coveted thing, in part because it was anomalous. Elaborate narratives thus explained away the unlikely preservation of the tombs

⁷ Ibn Hishām, *al-Sīra al-nabawiyya*, 4:311. At the end of this anecdote, Muḥammad invoked God's protection for his Companion, just as Abū Ayyūb had stood vigil for the Prophet's protection. One editor of the *Sīra* (311, n. 1) has interpreted this prayer as a foreshadowing of Byzantine protection of Abū Ayyūb's grave near Constantinople. The trope of guarding or defending the Prophet is a common one in the *Sīra*. Sa'd ibn Abī Waqqāṣ offered to guard Muḥammad's tent during the Battle of the Ditch, though the offer was rebuffed. In contrast to Abū Ayyūb's innocence, however, we have Sa'd's ferocity. In another case, Sa'd expresses his desire to kill 'Utba b. Abī Waqqāṣ in retaliation for the latter's having struck the Prophet in the face (4:43). Fittingly, this anecdote is preceded by the subheading "On the Courage of the Companions." A similar story relates to the Companion al-Zubayr b. al-'Awwām: see, for example, Abū Nu'aym al-Iṣbahānī, *Ma'rifa al-ṣaḥāba*, 1:123.

⁸ Al-Ṭabarī, trans. Morony, *The History of al-Ṭabarī: Between Civil Wars, the Caliphate of Mu'āwiyah*, 94.

⁹ "I wish to expire on Byzantine soil," see Lecker, "On the Burial of Martyrs," 41. For Abū Ayyūb's burial, see *idem*, 42–47.

of martyrs in foreign lands. In the case of Abū Ayyūb, the Byzantines sensed an opportunity to discourage the Muslim fighters and threatened to unearth his body, to which Yazīd replied that he would respond to any such insult by destroying all the churches in Islamic territory. The Byzantines agreed to a compromise, and even erected a small dome over the tomb. Al-Khaṭīb al-Baghdādī and other later travelers reported seeing the tomb and noted that even Christians used to visit the site and pray there for rain in times of drought.¹⁰ This is the long and the short of what we learn from the Arabic biographical material. Abū Ayyūb was an interesting character, but he was not necessarily exceptional in the context of other prominent Companions until his life and death became connected to the history of the Ottoman Empire through an imagined connection with the Church of the Hagia Sophia.

By the fifteenth century, an anonymous Ottoman account which recounts the long series of unsuccessful Arab sieges of Constantinople in the centuries preceding the city's fall in 1453 CE elaborates upon Abū Ayyūb's relationship with Constantinople, and especially with Justinian's Great Church. Furthermore, in it we find imported or transplanted narrative elements from an episode in the life of another important figure of the early Islamic period, Maslama b. 'Abd al-Malik.¹¹ The stories of Abū Ayyūb and Maslama become intertwined in interesting ways in the Ottoman account of the fall of city; demonstrating a developing imperial agenda in the Islamic world, and the evolution of the hagiography of a Companion of Muḥammad in the medieval Islamic imagination.

In the later Middle Ages, Qur'ānic exegetes and ḥadīth specialists set forth various claims for Muslim entitlement to the Hagia Sophia. It was said that on the night the Prophet was born, its dome collapsed and could not be repaired until years later, when a Byzantine embassy was sent to Muḥammad to collect some of his spittle to mix in with the mortar. In keeping with a well-established trend in pilgrimage litera-

¹⁰ al-Harawī, *Kitāb al-Ishārāt ilā ma'rifat al-ziyārāt/A Lonely Wayfarer's Guide to Pilgrimage*, trans. and ed. Meri, 144. See also Ibn Qutayba, *al-Ma'ārif*, 140 (cited in Meri's introduction to al-Harawī, 151, n. 30, as the earliest source in which the grave is mentioned; see also Yerasimos, *La fondation de Constantinople*, 165f.); Ibn Ḥajar al-'Asqalānī, *al-Isāba fī tamyīz al-ṣaḥāba*; Abū Nu'aym al-Iṣbahānī, *Ma'rifat al-ṣaḥāba*, 187–91. On the deal struck regarding the churches in Islamic territory, see also Canard, "Les expéditions des Arabes contre Constantinople," 72.

¹¹ The Umayyad general who led a later siege against Constantinople in 717 CE.

ture, the efficacy of prayers in the Hagia Sophia was so great that praying even two rakāʿāt in the church would help a believer gain entry into Paradise.¹²

According to the anonymous Ottoman chronicle which ends in 1491 CE, Mehmet II was so impressed by the city that he commissioned a number of priests and knowledgeable Byzantines to write its history. It is unlikely that the text owes any of its material to the Byzantine tradition.¹³ In this text, the relevance of the Hagia Sophia to Muḥammad (through oral traditions detailing his prediction that the building would one day be under Muslim control) is equaled only by the building's relationship to our protagonist, Abū Ayyūb al-Anṣārī.¹⁴ The Ottoman text describes his deathbed wish in the following way:

Knowing that the siege would fail, and having been told as much by the Christians, Abū Ayyūb went to his troops and said that they should stop the siege in exchange for the right to pray two rakāʿāt in the Hagia Sophia, on account of the ḥadīth that whoever performed such a prayer in it would be guaranteed entry into Paradise. They told this to the Byzantines who went and got permission from the emperor. Other Muslims were allowed to enter the city on the condition that half of their number would stay behind and that the other half would enter unarmed.¹⁵

After praying in the Hagia Sophia, and "knowing that he would quit this world, he conveyed his final wishes: 'Draw your swords, attack the front of the citadel and bury me at the most advanced point [relative to] the area of fighting, and make hidden all trace of my sepulcher.' And so they did."¹⁶ The notion of Abū Ayyūb having prayed in the Hagia Sophia speaks to the particular investment the Ottomans had in producing themselves as an empire re-claiming its rightful place in

¹² For legends surrounding the collapse of the dome of the church and its subsequent repair using mortar mixed with the spittle of the Prophet, see Yerasimos, *La fondation de Constantinople*, 168f.

¹³ Yerasimos, *La fondation*, 2–3. Yerasimos argues for the inclusion of the chronicle within a wider series of debates about Ottoman imperial identity. What is relevant here is that whatever the content of the debates, the chronicle is a key text in processes of legitimation.

¹⁴ The Ottoman account described here is a rich source, only one aspect of which is discussed in this paper. Composed in the fifteenth century, it is extant in at least four versions, spanning from 1468 to 1491 CE. Not all these versions include Abū Ayyūb's entry into the city. For a discussion of the textual tradition for this *History of Constantinople* and the imperial debates within which it may have been composed, see Yerasimos, *La fondation*, 204f.

¹⁵ Ibid., 40.

¹⁶ Ibid., 38.

Constantinople. This connection to the city was facilitated by means of Abū Ayyūb's brief pilgrimage to the Hagia Sophia.

Yet the story of Abū Ayyūb's visit to the Hagia Sophia is not entirely unique, nor was it invented out of whole cloth by Ottoman authors in the fifteenth century. Several elements of the narrative mirror a similar account of the entry into Constantinople of Maslama b. 'Abd al-Malik, a figure with a more sullied and problematic reputation than Abū Ayyūb's. When Maslama tried and failed to capture Constantinople in 717, he too is said to have negotiated an entry and procession into the city. He too visited the Hagia Sophia, and he too eventually retreated from the siege in eventual defeat.¹⁷ The intertwining of narrative elements and the reappearance of pietistic and military tropes is common in futūḥ literature, but it is worth stressing that their multiple invocations need not represent identical authorial impulses. That is, similar stories can mean very different things, and "the same set of events can serve as components of a story that is tragic or comic, as the case may be."¹⁸

Among the many reports of the Arab attack on the city, there are essentially two Arabic versions of Maslama's siege of Constantinople: one dispassionately recounts the military failure, while another glorifies Maslama in spite of it.¹⁹ The first, as it appears in the *Ta'rikh* of al-Ṭabarī as well as the *Kitāb al-uyūn*, relates a complicated pattern of trickery and deception on the part of the Emperor Leo that explains why Maslama burned or otherwise destroyed his massive grain provisions during the siege. Using some ruse, Leo convinces Maslama to burn his supplies, or give them away. "Immediately thereafter, the Byzantines, with the support of the Bulgarians, start attacking the Muslims, who finally withdraw after a terrible famine."²⁰

The second version, in Ibn A'tham al-Kūfī's *Kitāb al-Futūḥ* and elsewhere, tells us that Maslama negotiated with Leo in order to fulfill

¹⁷ One aspect of this story worth further investigation is the process of negotiating entries. A similar episode accompanied the entrance of Sa'id b. 'Uthmān into Samarra. I thank Asad Ahmed for alerting me to this trope. Below, I make a case for other, perhaps related, processional models.

¹⁸ Boyarin, D. "Archives in the Fiction," 175–92, citing Hayden White, "The Historical text as Literary Artifact," 18.

¹⁹ On ambivalence in the portrayals of military leaders in the various early genre of Arabic literature, see Ahmed, "Between the Acts: Hījāzī Elites and the Internal Politics of the Umayyad Empire," chapters 1 and 2, esp. 31ff.

²⁰ Antoine Borrut, *Entre mémoire et pouvoir: L'espace syrien sous les derniers Omeyyades et les premiers Abbassides* (v. 72–193/692–809), especially chapter 5.

an oath that he would not depart without having entered the city.²¹ He is permitted to do so, and after stopping at the Imperial palace, proceeds to the Hagia Sophia. Unlike Abū Ayyūb's, Maslama's entry into the city and the church was anything but a pilgrimage. He enters the church on horseback, proceeds to defy the Emperor by removing a gold cross from a niche, and affixes it, upside down, to the tip of his spear. He then marches back through the city, rejoins his entourage and, having completed this simultaneously insulting and triumphant gesture, departs.²²

This is an odd story. If it is meant to convey some sort of symbolic triumph over Constantinople, one is hard pressed to understand its significance. Stories of Caliphal violence and participation in formative battles are a well-known tool in medieval historiography, but Maslama was not a caliph, nor was this gesture particularly violent. It is possible that the events in this narrative, which rely on al-Wāqidi (d. 207/823) and al-Madā'inī (d. 235/850), reflect earlier material, circulated by Umayyad supporters in order to promote Maslama's image, and to mitigate the spectacular failure of his campaign against Constantinople.²³

It is also interesting to note that aspects of Maslama's procession into the city echo those familiar from military processions characteristic of later Islamic dynasties. One analysis of ceremonial processions for supplicants to the Umayyad court in Spain notes that they were characterized by a "ritual process of submission and incorporation into a body politic."²⁴ Maslama's entry into the city was not penitential or submissive, rather it represented the symbolic submission of the city to his authority, in spite of his actual military failure. The ceremonial aspects of his procession, upon closer analysis of the episode, become even more pronounced. In the *Kitāb muḥāḍarat al-abrār*

²¹ Non-Muslim texts such as The Chronicle of Pseudo-Dionysius of Tell Mahre also recounts Maslama's entry into the city, as well as his exchange of letters with the Emperor Leo (717–741 CE) and says that entered with an entourage of some thirty cavalry. Yerasimos, *La fondation*, 167.

²² Elements of this narrative also correlate to what we find on the Zuqnīn Chronicle and in later Armenian sources (ninth century). It is worth noting, though it will not be discussed here, that Maslama is said to have patronized the construction of a mosque in Constantinople, the protection of which he also negotiated. See also Yerasimos, *La fondation*, 175f, on issues of transmission and transposition.

²³ Borrut, *Entre mémoire et pouvoir*.

²⁴ Safran, "The Symbolic Representation and Recognition of Legitimacy in Tenth-Century al-Andalus," 192.

wa-musāmarat al-akhyār fī al-adabiyyāt wa-l-akhbār by Muḥyī l-Dīn Ibn al-ʿArabī (d. 1241), the story of the siege is preceded by lengthy descriptions of the beheading of two Byzantine patricii, reminiscent of the heads raised in Jaʿfar al-Andalūsī's procession and submission after having switched his allegiance to the Fāṭimids. Once he renounced this allegiance and killed a rival named Zīrī b. Manād, he attempted to work his way back into the favor of the Umayyad caliph who accepted his obedience on the condition that he take part in the procession of supplication.²⁵ Displaying the trophies of beheaded enemies, a feature of Maslama's approach to Constantinople, is not the only aspect of the story which resonates with Caliphal processions. In general, these rigidly hierarchical military processions included an escort or guard, and in al-Kūfī's and Ibn al-ʿArabī's version, Maslama stations his guard, al-Baṭṭāl b. ʿAmr, at the gate of Constantinople with orders to storm the city should Maslama remain inside for too long. Like caliphs leaving for military expeditions, Maslama is clothed in white and holds the requisite prop, in this case, a lance.²⁶ Also like Caliphal processions, Maslama's entry was organized, choreographed, and formulaic. In a neat inversion of the usual aim of a procession however, Maslama's ceremonial entry into Constantinople and his subsequent act of denigration of the church and the cross flout the tradition of supplication, and express a symbolic triumph over, or defiance of, the Byzantine adversaries.

Maslama entered Constantinople much more a warrior than a pilgrim, and the similarities of his entry into Constantinople to Abū Ayyūb's journey to the Hagia Sophia are limited to very bare elements of form, if not tenor or detail.²⁷ Nevertheless, Maslama's story is transmuted into a pilgrimage *of sorts*; in Ibn al-ʿArabī's rendition, he enters the city and although he does not pray two *rakaʿāt* in the Hagia Sophia, he is mightily impressed by the building's grandeur. In Ibn al-ʿArabī's account, he relates the episode to a friend years after the fact, and speaks of the church's majesty and décor in reverential tones. Between the thirteenth-century rendition by Ibn al-ʿArabī and the Ottoman chronicle tradition, Abū Ayyūb's narrative is conflated

²⁵ Ibid., 194f.

²⁶ Other props in processions could include a sword, parasol, lance, horseshoe, or crown. See "Mawākib," EI² 6:849–51 (P. Sanders).

²⁷ On the tension between conqueror and pilgrim, and the contrast between the Abū Ayyūb and Maslama narratives, see Yerasimos, *La fondation*, 169.

with Maslama's and, as Abū Ayyūb's body was still to be found there, the pious Companion became the focal point for establishing Mehmet II as the rightful Muslim conqueror of the city. This was not, however, a simple matter of convenience. For an Islamic imperial power, a connection to a Companion of Muḥammad would have been much more efficacious than a narrative about the activities of an Umayyad general of mixed repute. The Maslama narrative is effectively rehabilitated and made into a pious pilgrimage to the Hagia Sophia by its transposition into the biography of the saintly Abū Ayyūb.²⁸ Stories of the merits of the Companions, their insertion into imperial narratives, and their immortalization in the construction of monumental architecture correspond to the very real spiritual, political and material capital they represented in Islamic civilization. For the Ottomans, Abū Ayyūb represented their inheritance of a Prophetic legacy, much as biographies of various groups (as in Cooperson's formulation) vied for the establishment of group identity that was based on their "heirship to the Prophet."²⁹ Once this story became part of the imperial history of Constantinople, its hagiographical elements (understated in the earlier sources) emerged more strongly. Even the Byzantine enemies recognized that Abū Ayyūb's burial made the site a holy place.

At the time of this siege, George was emperor of Constantinople, and two of his sons had been killed while fighting in Damascus. His army was being attacked there and in anger and grief, George threw himself on his sword. He also had another son named Constantine, who became ruler in his place. A white light descended over the gravesite of Abū Ayyūb, Constantine looked at the sky and understood that it was not ordinary. He had built above [the spot] a large dome, and made it a place of pilgrimage.³⁰

²⁸ By using the term "saintly" here, I do not mean to indicate that it corresponds fully to Christian usage of the term "saint;" rather, it indicates the special category of piety reserved for the Companions of Muḥammad as models of spiritual excellence, if not actual holiness. In many respects, Islamic veneration of the Companions mirrors the veneration of the saints in Byzantium, but it is important not to conflate the categories. I wish to thank Robert Hoyland for suggesting a comment on this issue of clarification at a colloquium held at Princeton in March, 2008, where a version of this essay was first presented.

²⁹ Cooperson, *Classical Arabic Biography*, 13. As the author points out, the first to assume this were the caliphs, a collectivity, or *ṭā'ifa* in which it would have been important for Ottomans sultans, engaged in a long debate about the legitimacy of their imperial project, to assume membership.

³⁰ Yerasimos, *La fondation*, 39.

Christian emperors were aptly attuned to the sacred nature of the site where Abū Ayyūb was buried. Not only did Constantine recognize the sacred space, he institutionalized it by making it a place of pilgrimage and erecting a dome above the grave. Moreover, as the narrative continues we are told that a fountain miraculously sprang up near the gravesite, spouting water with healing properties attributed to a miraculous light that appeared at the site, and to the sacred nature of the burial of a holy and venerable person.

When the Muslims left the place of his (Abū Ayyūb's) burial and departed, the unbelievers saw in this place many signs. They uncovered the tomb, transforming it into a place of pilgrimage and, by the Grace of God, a cypress grew at the head of the sepulcher and a fountain sprang up. They made it a sacred place and people went and washed themselves there to cure fevers."³¹

Over the centuries, Abū Ayyūb's tomb was lost, covered over, and eventually destroyed. It is possible that it was razed during the Latin occupation of Constantinople. When the city fell to the Ottomans in 1453 CE, the Sultan and his sheikh Akshemsuddin went in search of the site, miraculously uncovered it, and erected a shrine in honor of Abū Ayyūb. Later, a mosque was built, the Eyup Sultan Cami, which, having undergone many renovations, is still considered one of the holiest shrines in Turkey.

Like many Byzantine and later, Muslim hagiographies, legends surrounding the discovery of Abū Ayyūb's tomb are replete with portentous visions and telltale inscriptions in obscure scripts. One vision conveyed to Mehmet II by Akshemsuddin led them to the actual site of the burial. Some accounts claim that Abū Ayyūb's tombstone was inscribed in Hebrew (a narrative element we also find, for instance, in the invention of the relics of John the Baptist in Damascus), which later authors dismiss as ridiculous, and which they attribute to mistakenly identifying Kufic script as Hebrew. In any case, below the marble, wrapped in a saffron colored shroud, lay the body of Abū Ayyūb, "fresh and well preserved."³² Mehmet II built a monumental shrine to the Companion five years after the conquest, which in turn became a focal point in subsequent Ottoman ceremonial processions.

³¹ Ibid., 44.

³² al-Maṣrī, *Abū Ayyūb al-Anṣārī 'inda l-'Arab wa-l-Turk*.

His [Abū Ayyūb's] tomb was miraculously discovered and rebuilt by Mehmet II soon after the conquest of Constantinople, when it became the center of an imperially sponsored cult that played an important role in sanctioning Ottoman rule in the Islamicized city. In it the sultans were girded with the sword of sovereignty after their accession to the imperial throne.³³

Five to fifteen days later, the Eyup procession would take place. Mehmet II instituted the ceremony, just after the conquest of the city. The girding with ceremonial sword probably existed before, having taken place in Bursa or Edirne.

There [at the mausoleum of Abū Ayyūb al-Anşārī in Eyup] took place the ceremony of the Kilic Kusanmasi (Taklid-i-Seif, "Girding of the Sword"), which corresponded to a European coronation. Usually the sultan went by boat to the landing stage at Eyup and returned on horseback through the streets of Istanbul, visiting the tombs of Mehmet II, Bayezid II, Selim I and Suleyman I. Sometimes the route was reversed, but always it was an occasion for much pomp and circumstance."³⁴

The girding of the Sultan and the procession it occasioned began at Abū Ayyūb's tomb and mosque and it must have reverberated with the tones of the imagined procession of the pious *ṣaḥābī*. By the sixteenth century, Greek authors relate that Abū Ayyūb had been sublimated in yet another fashion. A Greek Orthodox cult previously dedicated to Saint Basil had assumed worship at the fountain mentioned earlier as a holy site. Travelers referred to the gate between the site of the fountain and the sea as "Ayovassari," a blending of "Hagios Vassilios" and "Anşārī."³⁵

Abū Ayyūb al-Anşārī was a man of many traditions, whose life and death came to symbolize different things to the Muslim world. In his earliest days, he was longtime companion of Muḥammad, fierce warrior, and devout Muslim. After his death, he is portrayed as having been venerated by Christians and Muslims. In the fifteenth century, he is cast backwards into history as a foreshadowing of the eventual Muslim claim over Constantinople, reaffirmed by the establishment of the Ottoman equivalent of a coronation ceremony, an imperial procession reminiscent of earlier Caliphal *mawākib*, at the site of his tomb.

³³ Mark and Cakmak, eds., *The Hagia Sophia from the Age of Justinian to the Present*, 200, and note.

³⁴ Alderson, *The Structure of the Ottoman Dynasty*, 41.

³⁵ Yerasimos, *La fondation*, 172–73.

The theft or invention of relics, a familiar topic in Byzantine and Western Medieval history, had a long history in the Islamic world as well. Just as the invention of Abū Ayyūb's relics proved to be legitimizing for the claim to inheritance of a prophetic legacy for the Ottoman state, so too did relics serve as proofs of authority in earlier periods. The Fāṭimid recovery of the Prophet's sword, Dhu-l-Fiqār, in 320/932 functioned much the same way in Shī'ī claims against the rival 'Abbasids. This very sword, passed on the battlefield from Muḥammad to 'Alī during the battle of Uḥud, thus symbolizing the authenticity and legitimacy of Shī'ī rule, was also put to use in battles against rebels who threatened the Fāṭimids in the middle of the tenth century.³⁶ Much as the theft or transfer of Prophetic relics (in this case 'Abbasid and Fāṭimid wrangling over Muḥammad's sword) legitimized the claim of one dynasty or another to legitimate authority over the holy cities of Mecca and Medina, so too did the relics of the Companions contain the power to confer legitimacy over non-Muslim holy lands. Much as the mobility of relics in Byzantium and the Latin west facilitated the proliferation of shrines and other sacred sites far beyond the original dwelling places of early Christian protagonists, so too did the tombs of the *ṣaḥāba* broaden the geographical horizons of the Islamic empire's claim to power. For this reason, Abū Ayyūb al-Anṣārī's hagiographical incarnation, for Ottoman sultans, was far more efficacious than his pious or even exemplary biography had ever been to medieval Arabs. Adopting narrative elements from the life of Maslama b. 'Abd al-Malik and supplanting them into the fertile soil of pilgrimage/*ziyāra* was, as in Paul Walker's lovely formulation, "a game of rearranging the past, of the conflict of historical memories and of selective appropriation and degradation."³⁷

Biography and hagiography could obviously serve several and occasionally competing purposes. Ibn al-'Arabī made his intentions clear in compiling his *Muḥāḍarat al-abrār*: this was a book meant, by means of rare stories and exemplary parables, to "extol, edify and praise."³⁸ Another distinguishing feature of the biographical genre was its quality as "inside information" on personal details and secrets not generally known to the public. "By reporting secrets, biography assumes

³⁶ See Walker in *Culture and Memory in Medieval Islam*, 366f.

³⁷ Ibid., 367.

³⁸ Ibn al-'Arabī, *Muḥāḍarat al-abrār*, Introduction.

an air of veracity.”³⁹ The Ottoman incorporation of Maslama’s procession into Constantinople into what amounts to a hagiography of Abū Ayyūb al-Anṣārī manipulates this air of veracity for a developing imperial agenda. Much as there were military struggles over actual lands and physical territories, by harnessing the spiritual authority of the biography, tomb and relics of a beloved *ṣaḥābī*, Muslim imperial powers equipped themselves for the struggle over the territory of religious imagination.

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³⁹ Cooperson, *Classical Arabic Biography*, 23.

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II. STUDIES IN EARLY MODERN AND MODERN ISLAMIC HISTORY

“THE SECOND OTTOMAN CONQUEST OF EGYPT”:
RHETORIC AND POLITICS IN SEVENTEENTH CENTURY
EGYPTIAN HISTORIOGRAPHY

Adam Sabra

In 1017/1609, a large group of Ottoman *sipahis* serving in Egypt gathered at the shrine of Sayyid Aḥmad al-Badawī in the Delta town of Ṭanṭā. Swearing solemn oaths to aid and support one another, they launched a rebellion that engulfed the sub-provinces of the Delta and threatened the authority of the Ottoman governor of Egypt Mehmed Pasha, known in some sources as Kul Kiran. The cause of this mutiny was Sultan Ahmed I’s decree abolishing the rural tax known as the *ṭulba*, a decree which Mehmed Pasha was determined to carry out. This event—really a series of events—inspired the writing of two historical treatises devoted to it and reverberated throughout seventeenth- and early eighteenth-century Egyptian historical writing. The ways in which the mutiny was portrayed in Ottoman-Egyptian historiography shed light on the nature of the legitimacy of the Ottoman state and nature of provincial politics, both at the time of the abolition (*rafʿ*) of the *ṭulba* and throughout the subsequent century as the narrative of these events was told, re-told, and altered to suit the needs of the time and specific authors.¹

In his study of the rebellion of 1703, Rifāʿat ʿAli Abou-el-Haj notes the distinction between the absolutist character of Ottoman political theory, in which all power and authority is supposed to originate in the charismatic persona of the sultan, and the messier reality of Ottoman politics, where power is divided among the ruler, the military, the financial bureaucracy, and the men of religion, among others, and where these groups are further divided into households.² The concepts that make up Ottoman political theory rest on three pillars: dynastic legitimacy, Islamic law, and the Sultan’s right to establish administrative laws known as *qānūn*. It is also common for the Ottoman sultans

¹ For a similar approach to the rebellion of 1622, see Tezcan, “The 1622 Military Rebellion,” 25–43.

² Abou-el-Haj, *The 1703 Rebellion*, 12, 92–93.

to be portrayed as holding the office of caliph. All power is supposed to originate in the person of the caliph/sultan, although in principle an insane or incompetent ruler may be deposed by the Shaykh al-Islām.

As we will see, the theory of the caliphate was relevant less for its “realism” than for its value as political rhetoric. The supposedly unlimited and unchecked power of the caliph/sultan could be invoked to justify the strengthening of central power against claims made against it by local groups and dissident factions. Furthermore, the ideological construct of the ruler personally concerned with the welfare of his subjects served as a powerful argument for dynastic and personal legitimacy.

In what follows, I will compare the political rhetoric of the historical accounts of this mutiny with the information that these accounts provide about the actual conduct of the mutineers and of the Ottoman provincial officials who sought to restore order and to reassert their authority over rebellious soldiers. Cracks emerge in the historical narratives. Where political theory presents the mutineers as rebels against God, His Prophet, and the Sultan, the events of the mutiny suggest a different interpretation, namely that the mutiny was more armed demonstration than rebellion, and that the provincial officials were more interested in negotiating an end to the mutiny than in repressing a dangerous threat to Ottoman rule. In the end, military action was necessary, but the battle seems to have ended with a whimper rather than a bang.

The two most important narrative sources for these events were written in their immediate aftermath. These accounts are so similar that it is clear that one author has used the other’s narrative as the basis for his own version. Although there has been some understandable confusion about which text came first, I think that the original narrative was Muḥammad al-Sa’dī al-Burullusī’s *Bulūgh al-arab bi-raf’ al-ṭulab*.³ His work was then revised with some omissions and additions by the well-known historian Ibn Abī l-Surūr al-Bakrī in his *Kashf al-kurba fī raf’ al-ṭulba*.⁴ Because al-Sa’dī is otherwise unknown, whereas al-Bakrī is the most important Egyptian chronicler of the seventeenth century, it is tempting to give credit to al-Bakrī for this work. Internal evidence, however, suggests that the narrative was first composed in late 1017 or

³ Muḥammad al-Sa’dī al-Burullusī, *Bulūgh al-arab bi-raf’ al-ṭulab*, 267–340.

⁴ Ibn Abī l-Surūr al-Bakrī, *Kashf al-kurba fī raf’ al-ṭulba*, 291–384.

1018 by al-Sa’dī, likely with the intention of attracting the patronage of Mehmed Pasha.⁵

How the work ended up in the hands of al-Bakrī is an interesting question. Al-Sa’dī’s name appears as the copyist of al-Bakrī’s work in 1022/1613.⁶ He copied the work for the personal library of Aḥmad b. Zayn al-‘Ābidīn al-Bakrī, Ibn Abī l-Surūr’s cousin, and the head of the powerful Bakrī family at the time.⁷ Al-Sa’dī, who was a Rifā’ī Sufi, must have been employed by Aḥmad, and perhaps by several members of the Bakriyya. Perhaps he failed to obtain the patronage of Mehmed Pasha, but was taken on by the Bakrīs. Ibn Abī l-Surūr was only eighteen at the time of the events described in the narrative.⁸ He took al-Sa’dī’s original work, removed certain parts dealing with eschatology, and added a number of details of his own. This work was probably the earliest of his historical compositions. His cousin Aḥmad then commissioned al-Sa’dī to copy the revised work for his library. Thus, the aspiring author was turned into a copyist in the employ of Egypt’s preeminent family of religious scholars and Sufis.⁹

The fact that both works provide much the same narrative account of the events poses something of a problem. When referring to the shared narrative, I call it the SB (Sa’dī-Bakrī) narrative. When the two authors present different versions, I refer to the specific version of the narrative by the name of its author. In addition, after considering the two contemporary versions of the events, I consider how they are portrayed in the later works of Ibn Abī l-Surūr and other chroniclers down to the early eighteenth century.

The “Event of the Ṭulba”

The SB narrative presents the “event of the *ṭulba*” in a historical context, although within a different interpretative framework than a modern

⁵ Sa’dī, *Bulūgh*, 283, 334, 337–340. Although al-Sa’dī refers to the events of “this year,” he also mentions a dream that his son had in 1018.

⁶ Bakrī, *Kashf*, 307, 384.

⁷ On Aḥmad b. Zayn al-‘Ābidīn al-Bakrī, see Sabra, “Family History and Autobiography,” forthcoming.

⁸ Ibn Abī l-Surūr al-Bakrī, *al-Minaḥ al-raḥmāniyya*, 269–70, states that he was nine at the time of his father’s death on 8 Rabī’ II 1007/November 8 1598. Therefore, he must have been born in 999 or late 998.

⁹ The Bakrīs were loosely affiliated with the Shādhilī order, and not with the Rifā’ī order to which al-Sa’dī belonged.

Ottoman historian might choose. Modern historians have discussed the “Crisis of the Seventeenth Century,” focusing on such factors as inflation, the diffusion of firearms, the increased cost of wars, and so on. Under these circumstances, military rebellions became common, even endemic, in many parts of the Empire.¹⁰ The most famous of these were the Celali rebellions. Recently, Jane Hathaway has suggested that rebels of the “event of the *ṭulba*” shared many characteristics with the Celali rebels.¹¹ While modern social historians have emphasized the social and economic origins of these rebellions, the SB narrative is more concerned with demonstrating that the Egyptian regiments were guilty of repeated insurrection and disobedience to the Sultan and his representatives, the governors of Egypt. Consequently, the subsequent decision by Ahmed I to order Mehmed Pasha to restore sultanic authority by force, if necessary, was fully justified. The composition of a work specifically devoted to such an “event” (*wāqī'a*, which can also be translated as “battle”) was not uncommon in early modern Ottoman historiography. Such works were often devoted to conquest narratives.¹² As we will see, one way to conceive of the “event of the *ṭulba*” is as a conquest narrative, albeit one of re-conquest.

The SB narrative begins with the story of a fall. Repeated acts of disobedience to the sultan have turned Egypt from a paradise of plenty into a country whose inhabitants, especially her peasants, suffer from extreme poverty. The persons responsible for this turn of events are soldiers registered with sub-provincial governors (*kāshif*), who oppress and exploit the peasants.¹³ As if these violations against the *ra'iyya* were not enough, the soldiers repeatedly rebel against the authority of the provincial governors. Al-Bakrī places the origins of these disturbances in 990/1582, during the tenure of Ibrāhīm Pasha, who discovered that his predecessor, Ḥasan Pasha al-Khādim, had embezzled a large amount of funds that were owed to the Sultan.¹⁴ He attempted to recover the missing funds and investigated the state of the province's administration in general. His successor, Sinān Pasha, established the

¹⁰ Faruqi, *An Economic and Social History of the Ottoman Empire*, 433–38. For a summary of events in Egypt, see Behrens-Abouseif, *Egypt's Adjustment to Ottoman Rule*, 42–48.

¹¹ Hathaway, “The ‘Mamluk Breaker’ Who Was Really a Kul Breaker,” 103–105. She goes so far as to refer to “an Egyptian Jelālī Rebellion.”

¹² Piterberg, *An Ottoman Tragedy*, 38.

¹³ Sa'di, *Bulūgh*, 286–7; Bakrī, *Kashf*, 310–11.

¹⁴ Bakrī, *Kashf*, 312.

system of sending the *khazīna* to the Porte that remained in place in al-Bakrī's time.¹⁵

When Uveys Pasha examined the financial situation in 995/1586–87, he discovered that there was a substantial shortfall. He responded by removing from the rolls those soldiers who had taken up trades or become shopkeepers.¹⁶ The army rose against him and demanded that he abolish the salaries of the "Arabs" (*awlād al-ʿArab*, i.e. locals).¹⁷ Uveys Pasha attempted to punish them by cutting off all the army's pay for three days. The Qāḍī ʿAlī b. al-Qāq made things worse by selling appointments to collect taxes to his favorites.¹⁸ According to al-Bakrī, it was then that the *kāshifs* began to record the names of those soldiers in their sub-provinces who would receive the *ṭulba*. The number of *ṭulbas* increased until they became a monthly payment.¹⁹ Since more than one soldier was charged with administering a village or rural district (*nāhiya*), each village might be obliged to pay three or five *ṭulbas* in a single day. The burden became unbearable and the peasants began to flee their villages to escape it. Al-Saʿdī goes so far as to claim that the *ṭulbas* amounted to more than the regular *muqāṭaʿa* tax.²⁰

On 2 Shawwāl 997/14 August 1589, the soldiers rose in rebellion. They attacked the home of the *qāḍī al-ʿaskar* and seized a number of officials, including ʿAlī b. al-Qāq, and put these officials to death. They also took the governor's son hostage.²¹ The rebellious soldiers mistreated the *awlād al-ʿArab* and forbade them to employ white slaves. They also forbade Jews and Christians to employ any slaves at all.²² The locals were also forbidden to dress as Turks. The rebels also repeatedly fired at the homes of officials of local origin.²³ A number of officials went into hiding. Totally defeated, Uveys Pasha sent a decree to the *qāḍī al-ʿaskar* authorizing him to agree to all of the rebels' demands.

The next rebellion against a governor of Egypt took place in Rajab 1006/February 1598, during the tenure of al-Sharīf Mehmed Pasha. The causes of this rebellion are not clear. The rebels demanded that

¹⁵ Bakrī, *Kashf*, 313.

¹⁶ Bakrī, *Kashf*, 314. Saʿdī, *Bulūgh*, 287–88, places these events in 997/1589.

¹⁷ Bakrī, *Kashf*, 314.

¹⁸ Ibid.

¹⁹ Ibid., 315.

²⁰ Saʿdī, *Bulūgh*, 287.

²¹ Bakrī, *Kashf*, 316.

²² Ibid.; Saʿdī, *Bulūgh*, 288.

²³ Saʿdī, *Bulūgh*, 289; Bakrī, *Kashf*, 317.

the governor turn over certain officials for execution. He asked for a deadline of three days, and they demanded that the *qāḍī al-ʿaskar* adjudicate between them. This attempt at mediation apparently failed because the rebels began to assassinate certain officials and to attack locals whom they found dressed as Turks.²⁴ Once the targets of their anger were dead, the rebellion came to an end.

The next incident occurred in the tenure of Hiḍr Pasha on 21 Ramaḍān 1009/26 March 1601. The soldiers and the *qāḍī al-ʿaskar* complained about the governor's *kethuda*'s administration of the grain warehouses.²⁵ The rebels murdered the *kethuda* as well as the *tarjumān*, and proceeded to Būlāq to plunder the warehouses. This incident, however, was minor in comparison with the rebellion against Ibrāhīm Pasha on 29 Rabīʿ II 1013/24 September 1604. A number of soldiers gathered in the Qarāfa and swore to kill the governor. Although he had warning of the rebels' intentions, Ibrāhīm Pasha refused to leave the water-wheel (*dūlāb*) in Būlāq where he was sitting.²⁶ Thus it was easy for them to assassinate him, despite the presence of many military and civilian officials. When one amir objected, he was murdered as well. The rebels paraded their heads through the streets of Cairo, crying, "This is the due of those who cause strife in the Sultan's army."²⁷

This murder of the Sultan's governor in Egypt resulted in a period of considerable distress in the province. In a first attempt to regain control over the Egyptian garrison and investigate the events that led to the murder of Ibrāhīm Pasha, Sultan Ahmed I sent Mehmed Pasha al-Khādim to take over the governorship. Mehmed Pasha al-Khādim arrived with a mandate to investigate the murder and to abolish the *ṭulba*.²⁸ He forced the amirs to swear that they would no longer register the *ṭulba* on behalf of soldiers in the rural areas, that they would treat the *raʿiyya* justly, and that they would help bring the persons responsible for these evil deeds to justice. Unfortunately, these measures were insufficient, and Mehmed Pasha al-Khādim's tenure too short, to achieve the desired effect.

²⁴ Saʿdī, *Bulūgh*, 292; Bakrī, *Kashf*, 321.

²⁵ Saʿdī, *Bulūgh*, 293; Bakrī, *Kashf*, 322.

²⁶ Saʿdī, *Bulūgh*, 296; Bakrī, *Kashf*, 325.

²⁷ Saʿdī, *Bulūgh*, 296; Bakrī, *Kashf*, 326.

²⁸ Saʿdī, *Bulūgh*, 298; Bakrī, *Kashf*, 327. Mehmed Pasha al-Khādim served as governor from December 1604 until July 1605.

Having established the rebellious nature of the Egyptian garrisons, especially the *sipahis*, the SB narrative moves forward to the arrival of its hero, the vizier Mehmed Pasha (governor from 1016/1607 until 1020/1611). After performing the usual tours of the fortresses guarding Alexandria and Rashīd, Mehmed Pasha marched to Cairo, stopping along the way to abolish the *ṭulba* and other injustices he encountered in the villages of the Delta.²⁹ Anyone who registered a *ṭulba* would find that his kaftan (the symbol of his office) had become his shroud.

Mehmed Pasha held his first *dīwān* in the Cairo Citadel on 19 Şafar 1016/15 July 1607. Things went well until he began to distribute lands between salaried tax agents (*amīn*) and tax farmers (*multazim*) without registering any additional duties (*khidma*). Disgruntled mercenaries (*levend*) assassinated the *kāshif* of Gharbiyya, no doubt because he had refused to grant them their additional duties.³⁰ When Mehmed Pasha heard about this, he called on all the obedient members of the army to meet in the Kara Maydan below the Citadel. He then produced the royal decree (*khaṭṭ-i humāyūn*) abolishing the *ṭulba*.³¹ In doing so, he made it clear that he was carrying out the Sultan’s will. From now on, anyone registering or receiving a *ṭulba* would face arrest or worse.

Again, the situation seemed to improve for a while before the simmering anger of much of the Egyptian garrison boiled over. The occasion was the appointment of a new *dawādār* for the sub-province of al-Gharbiyya, at the instructions of the Sirdār al-Aʿẓam. Angered at this choice, a group of soldiers protested at the sub-provincial court in al-Maḥalla al-Kubrā.³² When their appeal went unheeded, the soldiers began to write to their fellow *sipahis* throughout the twelve sub-provinces of Egypt. They called on them to gather at the shrine of al-Sayyid Aḥmad al-Badawī, in order to act as one against the new dispensation. Thus a full-scale mutiny was launched in early Dhū al-Qaʿda 1017/early February 1609.³³

The mutineers attacked the *kāshif* of al-Munūfiyya demanding that he grant them *ṭulbas*. They pointed out that they had been on the Sultan’s campaign (*safar sulṭānī*) and had spent all their money on weapons and provisions. They demanded the eighteen months of *ṭulba*

²⁹ Sa’dī, *Bulūgh*, 308; Bakrī, *Kashf*, 341.

³⁰ Sa’dī, *Bulūgh*, 313; Bakrī, *Kashf*, 344.

³¹ Sa’dī, *Bulūgh*, 314; Bakrī, *Kashf*, 345.

³² Sa’dī, *Bulūgh*, 317.

³³ Bakrī, *Kashf*, 348.

that they were owed.³⁴ When this demand was denied, the mutineers joined with a group of cashiered soldiers (*baṭṭāla*) and pressured the *kāshif* into sending the governor a request for the *ṭulbas*.³⁵ Clearly, however, they were planning to use force to impose their demands. They organized the three *sipahi* regiments under *sancaks* and created a fourth *sancak* for the retired soldiers.³⁶ They also recorded their names in a roll (*yoklama*) and assembled with their weapons. These measures, in addition to being practical, demonstrate that the soldiers claimed to form a legitimate army in the face of measures which they believed threatened their existence. The mutineers then undertook what might be described as an armed demonstration. They marched through the fields administered by the governor's tax collectors (*amīn*) and tax farmers, riding down the crops, seizing livestock, and terrorizing the peasants.³⁷ The aggrieved officials then complained to the governor and demanded that he send troops to quell the mutiny.

Mehmed Pasha faced the dilemma of whether he should fight the mutineers or try to appease them by meeting at least some of their demands. His advisors were divided on the matter, but ultimately the governor became convinced by the hard-line party that he must indeed fight. He appointed the amir Muṣṭafā as commander (*sirdār*) of the expedition and sent with him the *kethuda* of the *çavuş* regiment, also named Muṣṭafā, presumably as a political advisor charged with representing the governor and keeping him apprised of developments.³⁸ This latter Muṣṭafā generally took a hard line and as a prime instigator of the repression of the mutiny. The governor offered the mutineers the chance to give up their demands and to accept revenue appointments on the Sultan's terms. If they should persist in their disobedience, however, he threatened them with severe consequences.

Even as he offered peace, Mehmed Pasha prepared for war. He gathered his armies below the Citadel in Cairo, expecting to have to use force to suppress the mutiny. This was also a way of checking on the loyalty of his troops. Those who failed to assemble at the Kara Maydan on 17 Dhū al-Qa'da 1017/12 February 1609 risked being classi-

³⁴ Sa'di, *Bulūgh*, 317; Bakri, *Kashf*, 349.

³⁵ Sa'di, *Bulūgh*, 318; Bakri, *Kashf*, 349.

³⁶ Ibid.

³⁷ Sa'di, *Bulūgh*, 318; Bakri, *Kashf*, 350.

³⁸ Sa'di, *Bulūgh*, 321; Bakri, *Kashf*, 352.

fied as rebels.³⁹ In addition to the Turkish regiments, Mehmed Pasha was able to call on Arab tribal forces led by the amir of the Hawwāra Arabs.⁴⁰ The loyal troops marched through the city and assembled in al-Raydāniyya to spend the night. Despite a failed attempt by the rebels to launch a surprise attack overnight against the governor's army before it could fully assemble, on the following day the loyal troops successfully marched towards the main body of the rebels at Birkat al-Ḥajj.⁴¹ There the *sirdār* pitched his tent facing the rebel army. He then ordered the merchants of Cairo to bring their wares to sell his army the provisions it needed.

Despite the martial tone of the SB narrative, neither side seems to have been in a rush to fight. Instead, a series of diplomatic exchanges took place with the aim of avoiding bloodshed and finding a way to resolve the conflict. These negotiations, which are discussed in more detail below, failed. The *sirdār*, after consulting with the governor, refused to make any compromise regarding the abolition of the *ṭulba*.⁴² Again, despite the SB narrative's violent, warlike language, the rebellion seems to have ended with a whimper rather than a bang. Seeing the size of the army facing them, and the Arab troops positioned to cut off their retreat, the rebels asked for safe conduct in order to surrender.⁴³ Some attempted to flee, but most of those were cut down by the Arab forces. Others drowned in the lake.⁴⁴

Those who decided to surrender meekly stepped forward to assemble under the banner of that part of their unit (*bölük*) which had remained loyal. Stripped of their weapons and armor, they made a sorry sight.⁴⁵ The *sirdār* had three of the leading rebels executed, and the victorious army, displaying the severed heads, marched back into the city to inform Mehmed Pasha that the rebellion was over.⁴⁶ After a joyful reception for the victorious commander, the governor had another forty or so rebels executed.⁴⁷ Thus ended the event of the *ṭulba*.

³⁹ Sa'dī, *Bulūgh*, 325; Bakrī, *Kashf*, 356. There appears to be some confusion about the exact date.

⁴⁰ Sa'dī, *Bulūgh*, 325, describes him as the governor of Upper Egypt, while Bakrī, *Kashf*, 356, calls him the Shaykh of the Arabs of al-Gīza.

⁴¹ Sa'dī, *Bulūgh*, 328–29; Bakrī, *Kashf*, 358.

⁴² Sa'dī, *Bulūgh*, 331; Bakrī, *Kashf*, 360.

⁴³ Ibid.

⁴⁴ Bakrī, *Kashf*, 367.

⁴⁵ Ibid., 362.

⁴⁶ Sa'dī, *Bulūgh*, 332; Bakrī, *Kashf*, 362, 367–68.

⁴⁷ Sa'dī, *Bulūgh*, 333; Bakrī, *Kashf*, 368.

Preliminary Interpretation

Before examining the historiography of the *ṭulba*, it is worth considering these events from a broader historical perspective. A full interpretation of the causes of this rebellion would require a study of greater depth than can be attempted here. In particular, one would have to use archival sources to fill in gaps that appear in the prose narratives. Nonetheless, a few points can be made.

First, the period of instability that Egypt suffered in the late sixteenth and early seventeenth century was not isolated. Much of the Ottoman Empire suffered from similar or related problems. One problem that inspired much rebellion was the decline in the value of military and other salaries due to debasement of the currency and inflation. Although there is still some debate about whether Egypt's currency was actually debased during this time, there are a number of possible explanations for the inflation that reduced the value of the fixed salaries (*ʿulūfa*) that the soldiers received.⁴⁸ Another factor that may have been relevant was a growth in the size of the Egyptian military. The demand that Arabs be forbidden from imitating Turkish soldiers suggests an attempt to limit the growth of the military by excluding the descendents of soldiers who had taken up other trades. In other words, membership in the military regiments was becoming hereditary. The separation that was supposed to exist between the *ʿaskarī* and *raʿiyya* classes had become blurred and some soldiers were determined to hold the line against bloated military rolls that would ultimately dilute their benefits. Unfortunately, the exact number of soldiers for this period is not available, but there is good evidence for an expansion of the Egyptian military regiments between 1004/1595–6 and 1082/1671–2.⁴⁹

Since the Ottoman sultans and their governors also insisted on receiving their pieces of the taxation pie, ordinary soldiers had little choice but to make up the difference in their salaries by imposing higher taxes on the peasantry. They did this by pressuring the *kāshifs* to assign additional duties to the villages under their control. Trapped between the demands of the local soldiers and those of the central

⁴⁸ The monetary problems of the Ottoman Empire in this period are discussed in detail in Pamuk, *A Monetary History of the Ottoman Empire*, see esp. 95–101.

⁴⁹ Shaw, *The Financial and Administrative Organization and Development of Ottoman Egypt, 1517–1798*, 210. The total number of soldiers in the seven regiments in these years rose from 6,168 to 15,916.

government, the *kāshifs* were in a difficult spot. The governors were tempted to drop people from the state rolls, but this was also unpopular. In short, the number of people expecting to benefit from the taxation of Egypt was expanding, and the pie that had to be divided was not getting any larger. The result was an expanding tax burden on the peasantry. The peasants, in turn, resorted to fleeing their villages to escape this burden. The SB narrative does not say how these now-landless peasants made their living, but at least some of them must have taken up banditry. In addition to the social and economic disturbances that resulted, these events threatened the Ottoman state's self-image as the protector of the *ra'iyya*, especially of the peasants.⁵⁰ In these circumstances, Sultan Ahmed attempted to reassert the authority of the central government.

The Rhetoric of Absolutism

Given the limited number of casualties that resulted from the event of the *ṭulba*, it is curious that seventeenth-century chroniclers pay so much attention to it. The importance of the event appears to lie in the fact that it divided the Egyptian military regiments into two factions, and thus split the Ottoman elite in Egypt in an unprecedented manner. For the SB narrative, the conflict is between a just Sultan-Caliph and his governor on the one hand, and soldiers who rebel against his authority, and even against the faith, on the other. For the SB narrative, the authority of the Sultan-Caliph is absolute and brooks no dissent. Whether this narrative is sustainable either historically or theoretically is a question I will address below, but first it is necessary to establish the nature of the Ottoman sultan's authority as it is constructed by the SB narrative immediately after the suppression of the mutiny.

The SB narrative begins by making very clear the nature of the mutineers. They are tyrannical, rebellious, guilty of sin, misguided, inspired by the Devil, and fully deserving of the humiliation they suffer in their defeat.⁵¹ Al-Sa'dī in particular emphasizes the obligation of Muslims to obey "God, His Messenger, and those in authority among you."⁵² He

⁵⁰ Darling, *Revenue-Raising and Legitimacy*, 283–99. The classic expression of this idea was the "circle of justice."

⁵¹ Sa'dī, *Bulūgh*, 283; Bakrī, *Kashf*, 308.

⁵² Sa'dī, *Bulūgh*, 284, quoting *Sūrat al-Nisā'*, verse 59.

also quotes the *ḥadīth* that one must obey the ruler, even if he be an Ethiopian slave.

The problem does not lie with the Egyptians, who are loyal to their ruler. Egypt itself possesses every virtue: it is the best country in the world, its army is the best in the world, it serves the two Holy Cities, its people have a gentle nature and are mostly virtuous and modest.⁵³ The modesty of the Egyptians dovetails with the “modest, just ruler who is the shadow and mercy of God on Earth,” whose shade will comfort the loyal faithful on the Day of Resurrection.⁵⁴ All the commoners among the *raʿiyya* are obligated to obey the ruler. In a country blessed by the protection of saints and pious men, those who disobey face punishment at the hands of God.⁵⁵ Most recently, in the event of the *ṭulba*, God punished those who harmed the country (or villages, *bilād*), expelled the peasants, and made light of the Holy Law.

To emphasize the obligation to obey the ruler, the SB narrative attributes to the Ottoman sultan the full authority of the Caliph under traditional Islamic political theory. He is: Emperor of Emperors of the Age, Khaqan of the Age, God’s Supreme Viceroy (*khalīfa*) over the individuals of the human species, the Third ‘Umar, the Shadow of God extended over the faithful with His sword drawn over the rebels (*ahl al-baghy*) and aggressors, the killer of infidels, heretics, and the party of the Devil, the one who fulfills the obligation to wage jihad to make the Word of God supreme and to humiliate those who rebel (or sin) against God (*ahl al-ʿiṣyān*).⁵⁶ In case there is any doubt that Sultan Ahmed I is the caliph and exercises the prerogatives of that office, the SB narrative adds titles such as: possessor of the supreme imamate, heir to the great caliphate, Alexander of the age, Sultan of the two shrines, protector of the two *qiblas*, administrator of lands with justice and faith, the one who aids the Muḥammadan Holy Law with virtue and faith, and so on.⁵⁷

The message is perfectly clear. The sultan, as supreme ruler appointed by God, has the task of providing a just political order for the Muslim community. Rebellion against his authority is not permitted, and his

⁵³ Ibid. Unfortunately, the editor of al-Bakrī’s text appears to have left these passages out of his edition of the work because he did not consider them relevant.

⁵⁴ Ibid., 285.

⁵⁵ Ibid., 286.

⁵⁶ Sa’dī, *Bulūgh*, 298–99; Bakrī, *Kashf*, 329.

⁵⁷ Ibid.

authority belongs to him alone and to those whom he delegates to perform the task of bringing about the just political order in specific places. Thus, the SB narrative makes a point of emphasizing that the Sultan bestowed (*an'ama*) the governorship of the province of Egypt upon Mehmed Pasha.⁵⁸ The sultan entrusted him with the guardianship (*waṣiyya*) over the inhabitants of Egypt in order that he might care for them, spread justice among them, and abolish the *tulba*, which had caused the Sultan great anger.⁵⁹ Rather than a distant and immature ruler, Sultan Ahmed appears as directly concerned with the fate of his subjects and with righting the wrongs they are suffering.

The Sultan's concern for his subjects is manifest in the deeds of his personal representative, Mehmed Pasha. This emphasis on personal rule is manifest from the moment when the new governor arrives. He begins by inspecting the fortifications of Alexandria and Rashīd, which fall under his responsibility. Perhaps most significantly, he begins to hand out alms in large amounts wherever he goes. Given the tone of the SB narrative, one might expect Mehmed Pasha to head for Cairo immediately to take charge of the situation. Instead, he spends days visiting one Sufi shrine after another, offering prayers, handing out money, ordering sheep slaughtered for the benefit of the poor, and having the shrines renovated.

It is tempting to attribute this emphasis on his patronage of the Sufis to the specific background of the authors of the SB narrative. Al-Sa'dī was a Rifā'i Sufi who served the elite Sufi Bakrī family to which Ibn Abī al-Surūr belonged. Yet there seems to be more at work here. We have already seen that al-Sa'dī believes that Egypt is protected by its saints who punish those who harm Egypt's people and reward those who treat them justly. Egypt is a sacred land and the presence of its holy dead in its soil protects it from evil. It is interesting that many of the shrines visited by Mehmed Pasha are associated with the Shādhilī order and its leaders. This order did not enjoy much popularity among the Ottoman military, but it was very influential among Egypt's religious scholars, including leading families such as the Bakrīs and Wafās. This suggests that Mehmed Pasha intended to show his and his master's respect for the religious beliefs of the Egyptian population by patronizing their most important shrines. Similarly, when Mehmed Pasha

⁵⁸ Sa'dī, *Bulūgh*, 301; Bakrī, *Kashf*, 331.

⁵⁹ Sa'dī, *Bulūgh*, 302; Bakrī, *Kashf*, 332.

enters Cairo, he visits the most important shrines in the cemeteries, including those of al-Shāfiʿī and al-Layth ibn Saʿd. Although no mention is made of it in the SB narrative, Mehmed Pasha cannot have failed to note that the Bakrī family shrine was located at the rear of the shrine of al-Shāfiʿī. He explicitly visited the shrine of the Wafās, who played a similar role to the Bakrīs as a family of Sufi notables. The patronage of such shrines provided a link between the Egypt's Ottoman rulers, its religious scholars and notables, and its common people. In addition, the ritual visits to Sufi shrines resemble the visits by Ottoman sultans to the shrine of Abū Ayyūb al-Anṣārī and to other mosques and shrines as part of the accession ceremony.⁶⁰ Here, the new governor visits a series of shrines and distributes alms as part of his accession to office.

These acts of charity had a number of functions in addition to building political support. Almsgiving is traditionally associated with prayer in Islamic practice. The recipients of these alms, whether they were Sufis, scholars, or the poor, would have been expected to pray for Mehmed Pasha's success. Naturally, prayer at these sites was also intended to win the heavenly aid of the saints. Finally, the giving of alms illustrates the personal care of the sultan and his governor for the welfare of his poorest subjects. Charity is an important tool for constructing political legitimacy. In addition to efficient and fair administration and respect for the Holy Law, charity is an important manifestation of the ruler's justice. In the conclusion of his narrative, al-Saʿdī appeals to the charity of Mehmed Pasha in an effort to secure his patronage. He describes his poem in praise of the governor as a "gift," in return for which the "poor" man with dependents to support hopes to benefit from the great man's generosity.⁶¹

The religious authority of the sultan-caliph is also reinforced by numerous references to fate and providence. God is on the side of the just ruler against the iniquitous rebels. Thus, when Mehmed Pasha is advised to consider negotiating with the mutineers, he prefers to fight and to let God decide the winner.⁶² Similarly, God intervenes to protect the loyal army from a surprise attack at night by the mutineers. He causes heavy rain to fall, warding off the sneak attack.⁶³ With God on their side, the loyal servants of the sultan are invincible.

⁶⁰ Vatin and Veinstein, *Le Sérail ébranlé*, 305–319.

⁶¹ Saʿdī, *Bulūgh*, 340.

⁶² Saʿdī, *Bulūgh*, 321; Bakrī, *Kashf*, 352.

⁶³ Saʿdī, *Bulūgh*, 326; Bakrī, *Kashf*, 355.

Negotiated Power

Given the absolutist nature of the authority attributed by the SB narrative to the Ottoman sultan-caliph, one would expect the political lines drawn in the event of the *tulba* to be clear-cut. In fact, this is far from the case. What is portrayed in the normative political discourse as an inexcusable revolt against God and His representative, the just ruler, turns out on closer examination to be an armed demonstration which was never intended to overthrow Ottoman rule in Egypt. Although the Egyptian *sipahis* are mutineers, they are merely attempting to prevent a change in financial administration that threatens their interests. Furthermore, the Ottoman authorities in Egypt are aware of this fact and make numerous attempts to negotiate with the rebels, even offering them a full amnesty, or something close to it. While the absolutist rhetoric of classical Islamic political theory proves highly useful in asserting the right and authority of the sultan and his representatives to implement fundamental administrative changes, this discourse is not the only one being deployed, nor can the political activities undertaken by both sides be reduced to a simple dichotomy of rightly-constituted government versus rebels. In this sense, the SB narrative undermines itself. While placing the authority of the sultan and his governor at the center of the narrative, it provides sufficient details to call this interpretation into question. As we will see, al-Bakrī's version of the narrative offers important additional details that help to flesh out the story.

The relationship between the governor and the leading military officials in Ottoman Egypt was based on the power of the governor to distribute sources of taxation and income, including lands in rural areas, as he saw fit. In the SB narrative, it is at this point in Mehmed Pasha's tenure as governor that matters come to a head. The governor distributes rural districts (*iqlīms*) to the sub-provincial governors and tax farmers without registering any *khidma*.⁶⁴ This event is immediately followed by the murder of the *kāshif* of al-Gharbiyya, although the SB narrative provides no explanation for this event. What is important for the narrative is that this event leads Mehmed Pasha to institute a general call up for the army. Every soldier, whether his salary is one *uthmānī* or a thousand, is obliged to come immediately to the Kara

⁶⁴ Sa'dī, *Bulūgh*, 313; Bakrī, *Kashf*, 344.

Maydan.⁶⁵ Here the obligation to the sultan is expressed in the fact that the soldiers “consume” the salary (*‘ulūfa*) they receive from the sultan’s treasury. In addition to his religious authority, the sultan’s generosity towards his army obliges them to remain loyal both in good times and bad.

Once the loyal soldiers are present, the governor displays the sultan’s decree abolishing the *ṭulba*. He then offers forgiveness to those who turn in the troublemakers.⁶⁶ Clearly, Mehmed Pasha is not looking for a major fight. His primary objective is not to punish those who imposed and collected the *ṭulba*, but to convince the Egyptian garrison to accept the new procedures without a fight. This strategy fits into the pattern of dealing with rebellions pursued by the Ottoman authorities in the seventeenth century. Palmira Brummett notes, “Rather than answering gross breaches of authority with mass executions, which might have provoked further mutinies, the Porte tended to respond with limited, restrained, or scapegoat punishments. Sending out the troops was a last resort.”⁶⁷

This relatively lenient policy fails. The revolt begins in al-Gharbiyya where soldiers rebel against the appointment of a new sub-provincial *dawādār*. When they complain to the *kāshif*, he informs them that he has no control over the matter since the appointment has been made by the supreme commander (*sirdār al-a‘zam*), i. e. the Grand Vizier Murād Pasha.⁶⁸ This is ironic, since it is precisely the financial cost of participating in the campaign against the Celali rebels that the Egyptian soldiers cite when they demand that the *ṭulba* remain in place. Here we see the events of the Celali rebellions spilling over into Egypt in an unexpected way.⁶⁹ Once the mutiny actually begins in earnest, soldiers try to force the *kāshif* of al-Munūfiyya to give them tickets (*wuṣūlāt*) for the *ṭulba* to compensate for the financial losses suffered while on campaign for the sultan.⁷⁰ Thus the rebels too have their idea of the financial obligations they are owed. Having loyally participated

⁶⁵ Sa’dī, *Bulūgh*, 313; Bakrī, *Kashf*, 345.

⁶⁶ Sa’dī, *Bulūgh*, 314; Bakrī, *Kashf*, 346.

⁶⁷ Brummett, “Classifying Ottoman Mutiny,” 101.

⁶⁸ Sa’dī, *Bulūgh*, 317; Bakrī, *Kashf*, 348.

⁶⁹ There is a specific reference to the Celali revolts at Sa’dī, *Bulūgh*, 314. For an account of the Celali revolts, see Griswold, *The Great Anatolian Rebellion*, 1983.

⁷⁰ Sa’dī, *Bulūgh*, 317–18, places these events in Sharqiyya, while Bakrī, *Kashf*, 349, places them in Munūfiyya and provides more specifics. These tickets would allow them to collect *ṭulba* from holders of *muqāṭa‘āt*. See Shaw, *Financial*, 221.

in a military campaign to suppress rebellion against the sultan, they return to find their right to receive tax revenues reduced and new officials appointed to enforce the new rules. If loyalty is so costly, perhaps mutiny will serve them better.

The details of the mutiny suggest a number of parallels between the political practices of the loyal and rebel forces. The governor demands that loyal soldiers swear not to receive the *ṭulba*.⁷¹ The rebels meet at the shrine of al-Sayyid al-Badawī and take solemn oaths and covenants to support one another to the end.⁷² The use of the shrine for the meeting is particularly interesting. Did the rebels seek the blessing of the saint for their venture, just as Mehmed Pasha did in the shrines he visited? They use the meeting to organize an army for war and to plan a strategy that apparently includes eliminating certain top officials and putting pressure on the *kāshifs* to register the *ṭulba* and to pay arrears in installments. They make one last effort to write to Mehmed Pasha in the hope that he will meet their demands.

As we have seen, some officials in Cairo were willing to do just that in order avoid a fight. In al-Sa'dī's version of the narrative, one senses some embarrassment that compromise was considered. Before launching into a discussion of Mehmed Pasha's rejection of compromise and the measures he took to repress the rebellion by force, al-Sa'dī argues that "there is nothing wrong with consulting" the learned and the wise. Using examples from the Prophet's life, he distinguishes between the consultations undertaken by the Prophet and the conspiracies hatched by the pagan Quraysh.⁷³

These events lead Mehmed Pasha to launch another general call-up of the Egyptian army. Once again, the governor invokes the salaries that the soldiers have received which oblige their obedience to the sultan's commands.⁷⁴ In a last attempt to avoid a fight, Mehmed Pasha sends a decree with Mehmed Efendi Altı Parmak and 'Alī Ağa, Ağa of the *Tufenkçiyān*, calling on the rebels to repent and to return to their units voluntarily, in order to be forgiven.⁷⁵ Again, despite the absolutist rhetoric that characterizes the decree, the possibility of reconciliation is left open.

⁷¹ Bakrī, *Kashf*, 346.

⁷² Sa'dī, *Bulūgh*, 317; Bakrī, *Kashf*, 348.

⁷³ Sa'dī, *Bulūgh*, 319–20.

⁷⁴ Sa'dī, *Bulūgh*, 319, 324; Bakrī, *Kashf*, 350, 356.

⁷⁵ Sa'dī, *Bulūgh*, 321–22; Bakrī, *Kashf*, 352–53.

In addition to the narrative in al-Sa'dī's version, al-Bakrī presents a second narrative that provides additional details on the final battle and the negotiations that preceded it. Again, even once the battle lines are drawn up, both sides hope to avoid combat. Altı Parmak Efendi convinces the loyalists to send two amirs to the rebels with a letter calling on them to give up the fight and to ask the loyalist commander and amirs to petition the governor for forgiveness. Al-Bakrī says that this would be "on condition that they make their former customary payments."⁷⁶ It is unclear what is meant by "customary payments" in this context, but perhaps al-Bakrī means the salaries and other payments they received without the addition of the *ṭulba*. The rebels respond by demanding payment of "our customary *khidmas* in accordance with ancient custom." The loyalists reject this response.

Once again, however, Altı Parmak Efendi insists on attempting to negotiate a solution before fighting. "We cannot fight them until we exchange letters with them and see what they say. If it is in accordance with the noble Holy Law, we will do it. If it violates it, we will reject it."⁷⁷ So the *sirdār* sends messengers to ask about the reason for their rebellion (*khurūj*) and to request that they end it. The mutineers respond by agreeing, provided they receive at least some small part of the duties (*khidma*) owed to them. The mutineers agree to write down their demand for ten *ṭulbas* in a letter bearing their seals. This letter is then turned over to the loyalists to be forwarded to Mehmed Pasha.⁷⁸ Again, many in the loyalist army are sympathetic and wish to intercede with the governor on behalf of the mutineers. This solution is rejected, however, by the amir Muṣṭafā, *kethuda* of the *Çavuş* regiment. He points out that any concession would be a slippery slope that would eventually lead to reinstitution of the *ṭulba*. Furthermore, the loyalists were ordered to fight the rebels, not to negotiate with them. In the end, the other loyalists agree to allow Muṣṭafā to present the offer of reconciliation to Mehmed Pasha for his decision.

Once he is apprised of the negotiations and the difference of opinion within his army, Mehmed Pasha refuses to compromise. He sends a decree saying that the rebels must either accept reconciliation with out any *ṭulba* or be put to the sword down to the last man.⁷⁹ When

⁷⁶ Bakrī, *Kashf*, 364, *bi-sharṭ daf' al-'awā'id al-sābiqa*.

⁷⁷ Ibid.

⁷⁸ Ibid., 365.

⁷⁹ Ibid., 366.

Muṣṭafā Kethuda returns to the loyalist camp, he finds a delegation from the rebels negotiating with the *sirdār*. Since it is now clear that the negotiations cannot continue, both sides form for battle.

Although the attempt to negotiate an end to the rebellion ultimately fails, these negotiations reveal much about the nature of politics in Ottoman Egypt at this time. Despite later claims to the contrary, rebels make no claims against the sovereignty of the Ottoman state.⁸⁰ Indeed, they appear to be conservatives who demand a return to "ancient customary payments." From their point of view, it is the new governor who is upsetting the applecart and depriving them of their usual sources of revenues. As we have seen, this sense of betrayal may have been heightened by the feeling that they had fought loyally for the sultan against his enemies in Syria only to return to Egypt and find themselves declared rebels at home. They fight for no new privileges, simply for the restoration of old ones.

A significant part of the loyalist leadership, including the *sirdār* appointed by Mehmed Pasha and Altı Parmak Efendi, seems sympathetic to the mutineers' dilemma. Despite the attacks on provincial sub-governors and their financial officials as well as on lands held by the governor, many of the leading loyalists are willing to return to some version of the *status quo ante*. Ultimately, it is Mehmed Pasha who insists that the sultan's decree must be carried out to the letter. His decrees cite the absolute authority of the sultan to demand obedience from his subjects and his salaried army. The claims made by the rebels that they have been bankrupted by participation in the sultan's campaign hold no water with him. Determined to carry out his master's orders, Mehmed Pasha overrules the moderates in his own camp and insists that the mutineers submit fully. This determination makes a negotiated solution impossible and results in a battle that pits comrades against one another.

Millenarian Expectations

In the mid-sixteenth century, millenarian expectations were rife in the Ottoman Empire, including Egypt. In part, these expectations were inspired by the approach of the year 1000 of the Islamic calendar. They

⁸⁰ See Hathaway, "The 'Mamluk Breaker'", 95.

may also have been encouraged by the extraordinary growth of the Ottoman Empire in that century under the leadership of Sultans Selim I and Süleiman I.⁸¹ As the century wore on, however, these predictions turned from exultation to a sense of decline or even imminent apocalypse. The Ottoman Empire underwent a series of crises that affected its political, economic, and social stability, all of which could be interpreted as signs that the world was approaching its end and the Day of Judgment was imminent.

Of the authors who wrote about the “event of the *ṭulba*,” only al-Sa’dī offers an eschatological interpretation. He notes that Mehmed Pasha has the same name as the Prophet of Islam and the awaited Mahdī.⁸² Thus, Mehmed Pasha stands between the beginning of Islam and its end, but certainly closer to the end. The arrival of Islam heralded the beginning of the seventh and final millennium.⁸³ In this context, the events of the year 1017 might be interpreted as examples of the strife (*fitna*) and trials (*miḥna*) that precede the Mahdī’s arrival. The Mahdī’s principal responsibility is to replace injustice with justice and to right wrongs. The parallel with the abolition of unjust taxation is unmistakable. If Mehmed Pasha is not the Mahdī, could he be one of the messiah’s precursors?

Much of the material which forms the basis of al-Sa’dī’s speculations comes from the fifteenth century occultist ‘Abd al-Raḥman al-Baṣṭāmī.⁸⁴ Drawing on a number of occult predictions, including the science of letters, al-Baṣṭāmī predicts the arrival of the Mahdī following a series of events, including sagas involving the Turks (*Rūm*), rebellions, the revival of the Scripture and Sunna, and the repression of heretical innovations, all of which he believes have already occurred. The arrival of the end times will be heralded by rebellions, betrayals, and the appearance of the False Messiah (*Dajjāl*).⁸⁵

This inevitable slide to the end can be postponed, however, by the return of the Muslim community to justice. Were it not for “this Wazir who follows the example of his namesake,” and for the Awaited Mahdī, the lands would be ruined and men destroyed.⁸⁶ This description of

⁸¹ Fleischer, “Shadow of Shadows,” 51–62.

⁸² Sa’dī, *Bulūgh*, 310.

⁸³ Ibid.

⁸⁴ Ibid., 311.

⁸⁵ Ibid., 312.

⁸⁶ Ibid., 313.

Mehmed Pasha as having been sent by God to restore justice (if only temporarily) and to stave off the final judgment leads one to believe that al-Sa’dī sees his potential patron as the renewer (*mujaddid*) of the century.⁸⁷ This suspicion is confirmed later in the narrative when al-Sa’dī quotes a passage from Jalāl al-Dīn al-Suyūṭī’s *Tārīkh al-khulafā’* affirming that at the beginning of each century a period of strife (*fitna*) occurs.⁸⁸ Examples of such events include the Mongol conquests and the invasions of Tamerlane. Al-Sa’dī does not mention that al-Suyūṭī claimed the mantle of renewer of the tenth century for himself, or that the same claim was made for Selim I and Süleiman I.⁸⁹

It is not clear how serious al-Sa’dī was about pursuing these claims. Did he intend them as mere flattery or did he seriously believe that Mehmed Pasha was a figure of importance in Muslim eschatology? In either case, Ibn Abī al-Surūr al-Bakrī and later authors do not repeat these ideas in their narratives of these events. Al-Bakrī simply drops these passages from his version of the narrative and they do not reappear in later works.

In Hindsight

Although al-Sa’dī’s eschatological references disappear in later accounts of the “event of the *tulba*,” the role this event played in seventeenth-century Egyptian history does not diminish in importance. A number of historians considered and reconsidered its significance, including Ibn Abī al-Surūr al-Bakrī, who wrote a number of works on the Ottoman dynasty and Egyptian history. Since al-Bakrī’s work tends to be repetitive, I will only consider a few key passages from two of his later works. In addition, I will examine the approach of al-Ishāqī and of Aḥmad Çelebi b. ‘Abd al-Ghanī, an important eighteenth-century historian with a military background.

In his history of the Ottoman dynasty and its rule over Egypt, *al-Minah al-raḥmāniyya fī l-dawla al-‘Uthmāniyya*, which he completed circa 1027/1618, al-Bakrī treats this incident in an entry on

⁸⁷ On the tradition of *tajdid*, see Landau-Tasseron, “The ‘Cyclical Reform,’” 79–117.

⁸⁸ Sa’dī, *Bulūgh*, 327.

⁸⁹ For al-Suyūṭī, see Landau-Tasseron, “Cyclical Reform,” 87–88. On Selim I and Süleiman I, see Fleischer, “The Lawgiver as Messiah,” 163–65.

Mehmed Pasha, whom he classifies as the fourth governor of Egypt appointed by Sultan Ahmed I. Although he describes Mehmed Pasha as a “severe ruler,” al-Bakrī also describes his tenure, with obvious nostalgia, as “the best of days.”⁹⁰ Truly, he was the “renovator” (*mu‘ammir*) of Egypt.

Although most of his account draws on his earlier work on the *ṭulba*, al-Bakrī adds some important details which explain how the duty was assessed and collected, and reveals a personal connection as well. The soldiers (*ghuzz*) would approach a *kāshif* and demand that he record (*kataba*) a *ṭulba* of a certain amount against a certain village. If the *kāshif* responded “How can I do that for you?” they would say, “Record that so-and-so complained against so-and-so who is a resident of such-and-such district [*nāḥiya*].”⁹¹ He would also record their travel allowance (*ḥaqq al-ṭariq*), in the amount they specified. In most cases, these claims were baseless (*lā aṣl lahu*).⁹² Then al-Bakrī provides an example based on his own personal experience.

I had a village (*balda*) in al-Munūfiyya whose tax burden (*māl*) was 100,000 *nišfs*. Its inhabitants and I were fined 200,000 *nišfs* per year as *ṭulba*. A soldier came to our aforementioned village with a *ṭulba* in which it was mentioned that passersby had complained about the village rubbish heap and that the travel allowance was 1000 *nišfs*. When he came to the district the inhabitants all fled. He spotted a woman with two small children. He took them from her and placed them in a saddlebag. When the woman saw this, she lost her mind. She brought her jewelry and said to him, “This is worth more than 1,000 *nišfs*.” He took her jewelry and took the two children from the saddlebag, but they were dead. See this provocation which no unbeliever would commit, much less a Muslim! There is no power or might save in God, the Sublime, the Almighty.⁹³

In addition to providing information about how *ṭulbas* could be generated by creating non-existent complaints to justify imposing fines on rural populations, al-Bakrī shows his hand with regard to his personal stake in the abolition of these duties. He does not state whether he held the village in question as a *rizqa* or as a tax farm. Nonetheless, we get a glimpse of a Cairene religious scholar from a wealthy and influential family which has a claim on rural areas. Since both the scholar and the

⁹⁰ Bakrī, *Minah*, 300.

⁹¹ Ibid., 307.

⁹² Ibid., 308.

⁹³ Ibid., 308–09.

villagers suffered from the soldiers' depredations, al-Bakrī appears in solidarity with the villagers in supporting the implementation of the Sultan's decree.

Al-Bakrī's family had long-standing ties to the Ottoman governors, so it is not surprising that he adopts this stance. Ibn Abī l-Surūr further substantiates his family's connection to the reforms of Mehmed Pasha by citing a praise poem written by his uncle Abū l-Mawāhib al-Bakrī dedicated to Mehmed Pasha and Sultan Ahmed I.⁹⁴ Abū l-Mawāhib held the position of *muftī al-salṭana* in Egypt, which made him a legal advisor to the governor. The poem cites Mehmed's sharing the prophet's name and praises his justice in service of his master, "the best of all kings, in the east and in the west."⁹⁵ Mehmed Pasha's deeds are so great that the Byzantine and Persian Emperors, were they alive today, would be mere soldiers in his army. Like Moses, he opposed the Pharaohs of his day.⁹⁶ Having praised the governor, Abū l-Mawāhib then reminds him of his duty towards the pious men who prayed for him in his hour of need. Despite Abū l-Mawāhib's apparent weakness, Mehmed Pasha enjoyed the aid of the Rightly Guided Caliphs, the *ashrāf*, and the axial saints in his great victory.⁹⁷ Since Abū l-Mawāhib is the representative of the House of al-Ṣiddīq in his time, this suggests a personal debt by the governor to the Bakrī family, and to the representatives of the other descendents of the Rightly Guided Caliphs and *ashrāf*.

In the last part of al-Bakrī's entry on Mehmed Pasha, he moves beyond the *ṭulba* to present Mehmed Pasha's larger agenda for renovating Egypt's administration. In this account, the abolition of the *ṭulba* is merely the first step in the reform of the Ottoman system of government in Egypt. Mehmed Pasha undertook a survey of the *rizqa* lands and of how they were acquired. This measure was designed to increase the revenues remitted to the sultan. *Rizqas* were returned to their proper owners, but the districts that contained them had to pay an increased tax burden.⁹⁸ As a result, the tax income due to the sultan increased by one hundred purses. He also abolished the use of the old Mamlūk-era *rizqa* registers and required the use of the register

⁹⁴ Ibid., 309–13.

⁹⁵ Ibid., 310.

⁹⁶ Ibid., 311.

⁹⁷ Ibid., 312–13.

⁹⁸ Ibid., 315.

(*tarbī'a*) compiled in AH 933 instead.⁹⁹ He then adjusted the duties owed by each village to pay for the upkeep of the agricultural system and other customary duties (*'āda*).¹⁰⁰ Those districts that were too poor to pay found their tax burden lightened. Wealthier districts, on the other hand, had to make up the difference. These adjustments were recorded in registers housed in the *Dīwān*, and copies were sent to the sub-provinces.¹⁰¹ Mehmed Pasha never failed to pay the salaries of the state employees on time and did not remove anyone from the rolls.¹⁰² He topped off his successful tenure as governor by endowing a large *waqf* which provided water to pilgrims on the Hajj and paid for Qur'ān reciters in Cairo. The surplus revenues went to Rūm.¹⁰³ Unusually, when he left Egypt, he had not yet been removed as governor.

At the conclusion of his narrative of the climactic battle in which the rebels were defeated, al-Bakrī describes the victory as “truly the second conquest of Egypt during the royal Ottoman dynasty.”¹⁰⁴ In another passage, he narrates the story of a saintly Cairene who witnessed one of Sultan al-Ashraf al-Ghūrī's *mamlūks* mistreat a hawker in the street.¹⁰⁵ When the hawker demands justice in accordance with God's law, the *mamlūk* beats him unconscious. Angered by this scene, the pious man raises his hands to heaven and calls down God's anger on the Sultan whose retainers are so unjust. That night in a dream, he sees angels descend from heaven to sweep the Circassians from the land of Egypt and deposit them in the Nile.¹⁰⁶ Waking from his dream, he hears a voice recite, “So We took vengeance on them, and drowned them in the sea, for they cried lies to Our signs and heed them not.” [*Sūrat al-A'rāf*, verse 136].¹⁰⁷ He knows it will not be long before al-Ghūrī is replaced by a new sultan who will restore just rule to Egypt. Just as Pharaoh suffered God's wrath, so too will the wayward Mamlūk sultan.

⁹⁹ Ibid.

¹⁰⁰ Ibid., 315–16.

¹⁰¹ Ibid., 316.

¹⁰² Ibid.

¹⁰³ Ibid., 317. Compare with the even longer list of endowments in Bakrī, *Kashf*, 374–77.

¹⁰⁴ Al-Bakrī, *Minah*, 306.

¹⁰⁵ Ibid., 81.

¹⁰⁶ Ibid., 81–82.

¹⁰⁷ Translation from Arberry, *The Koran Interpreted*, 1:186.

For al-Bakrī, as for other pro-Ottoman chroniclers, Sultan Selim I's conquest of Egypt meant more than the incorporation of Egypt and the rest of the Mamluk Empire into the Ottoman Empire. In addition to the acquisition of territories, including the holy cities of Mecca and Medina which were of such great symbolic importance for both Mamlūks and Ottomans, Selim's victory symbolizes the victory of justice over injustice and the restoration of rule in accordance with Islamic law. As we have seen, the restoration of the rule of law and of just governance often implied the abolition of taxes that were labeled unjust. If we want to understand what al-Bakrī meant by the second Ottoman conquest of Egypt, we have to look at how he portrays the first.

In a later work, *al-Tuhfa al-bahiyya fī tamalluk Āl 'Uthmān al-diyār al-miṣriyya*, which he completed in approximately 1042/1633, al-Bakrī offers an extended account of Selim's victory over al-Ghūrī and his subsequent conquest of Egypt. In it, he provides a list of al-Ghūrī's "evil deeds," which are "innumerable."¹⁰⁸ Virtually all of these misdeeds are financial in nature. They include debasing the gold, silver and copper currencies; the imposition of sales taxes and taxes on the mint; the sale of offices in *iqṭā'* and *waqf*; ruinous taxes imposed on Indian and European merchants in the Red Sea and Mediterranean; the imposition of taxes on foodstuffs, including grain, fruits, and salt; the torture, even to death, of financial officials whose property was confiscated; the removal of widows and orphans from the state rolls; and so on.¹⁰⁹

Implied in all this is that Sultan Selim abolished these unjust measures and reduced the taxes paid by Egyptians of all classes. Thus in al-Bakrī's eyes, the conquest of Egypt is closely related to the abolition of unjust taxation, the improvement of the financial status of the subjects, and the reorganization of the state's finances along less exploitative lines. Al-Bakrī reinforces this point when he describes the arrival of the surviving chief judges of the Mamlūk Empire in the presence of their new sultan. Selim upbraids them severely, accusing them of having purchased their offices and of having failed to prevent their sultan from committing acts of injustice.¹¹⁰ An imposing man

¹⁰⁸ Ibn Abī l-Surūr al-Bakrī, *al-Tuhfa al-bahiyya*, 62.

¹⁰⁹ Ibid., 62–64.

¹¹⁰ Ibid., 69.

who modestly wears a turban smaller than those of his amirs, Selim personifies the Ottoman commitment to rule by Islamic law. Ibn Abī l-Surūr quotes his grandfather as saying, “So long as kingship remains in the Ottoman dynasty, the sacred law will remain in force down through the ages.”¹¹¹

In Muḥammad b. ‘Abd al-Mu‘ī al-Ishāqī’s (d. 1059/1649–50) version, Mehmed Pasha’s reign begins in a more violent fashion.¹¹² Immediately upon his arrival he has the *kāshifs* of al-Munūfiyya, al-Gharbiyya, and al-Buḥayra executed because of the many complaints against them. After the murder of his hand-picked replacement as *kāshif* of al-Gharbiyya, Mehmed Pasha assembles the military leadership in Egypt, and three days later they agree to fight those who have caused the strife (*fitna*).¹¹³ After the rebels (*khawārij*) grow in strength, as do the loyal forces, the climactic battle takes place at Birkat al-Ḥajj.

If al-Ishāqī’s account of the event of the *ṭulba* is not particularly original, he does add two important details about its aftermath. First he mentions that the endowment that Mehmed Pasha established for the Hajj route was supported by lands that he seized (*akhadha*), consisting of most of the islands facing Rashīd and some agricultural lands in al-Munūfiyya and Giza, in addition to some commercial buildings he had built in Rashīd.¹¹⁴ This information suggests that Mehmed Pasha may have profited personally from the reforms he instituted. Furthermore, al-Ishāqī is aware of Mehmed Pasha’s subsequent career. He went on to become Grand Vizier, but people’s hopes in him were dashed when his campaign against the Persians failed. His good deeds having turned to bad, he died in disgrace as the Governor of Aleppo.¹¹⁵ Unlike the triumphalist versions of al-Sa‘dī and al-Bakrī, al-Ishāqī’s narrative concludes with God and Providence having turned away from Mehmed Pasha. Fate is fickle, seems to be his message: “such is the way of the world.” Those whom God grants success can just as easily be humbled.

Aḥmad Çelebi ibn ‘Abd al-Ghanī (d. circa 1150/1737) was an Egyptian chronicler from a learned, but probably not very prestigious fam-

¹¹¹ Al-Bakrī, *Minaḥ*, 6.

¹¹² Muḥammad b. ‘Abd al-Mu‘ī al-Ishāqī, *Akhbār al-uwal*, 165. This work ends with the year 1032/1623.

¹¹³ *Ibid.*, 166.

¹¹⁴ *Ibid.*, 167

¹¹⁵ *Ibid.*

ily. His chronicle of Ottoman Egypt, *Awḍaḥ al-ishārāt fī-man tawallā Miṣr al-Qāhira min al-wuzarā' wa-l-bāshāt*, focuses on the early eighteenth century, but includes an entry on Mehmed Pasha to whom he attributes the Turkish title *kul kiran* (breaker of slaves).¹¹⁶ Although he does not explain the meaning or significance of this title to his Arabic reader, it clearly refers to Mehmed Pasha's victory over the mutinous *sipahis*. Aḥmad Çelebi presents an abbreviated version of the event of the *ṭulba*. He emphasizes that Mehmed Pasha held the *sancaks* responsible for the murder of Ibrāhīm Pasha and had thirteen of them exiled to Abrīm in Upper Egypt. After defeating the mutineers, Mehmed Pasha exiles another four hundred soldiers (presumably *sipahis*) to Yemen.¹¹⁷ For Aḥmad Çelebi, the main significance of the abolition of the *ṭulba* was that the *kāshifs* were now expected to act in accordance with a *qānūn* which regulated the amount of tax charged for the manufacture of oakum (*mushāq*) as well as the customary payments in the summer and winter taxes.¹¹⁸ Previously, there had been no *qānūn* for them.

All of this suggests that Mehmed Pasha was remembered in the eighteenth century primarily for his contributions to Egypt's agricultural administration and for the restoration of law and order. While noting that 1018 was a year of dearth in Egypt due to a low Nile, Aḥmad Çelebi mentions that the following year was a year of plenty. Since Egypt's fertility was often considered by chroniclers to reflect the justice of its rulers, the fact that Mehmed Pasha's tenure as governor came to an end with a good harvest is a sign of his success. Finally, Aḥmad Çelebi notes that when Mehmed Pasha left for Rūm, he brought a substantial remittance for the sultan.

As the event of the *ṭulba* receded into historical memory, it no longer seemed the earth-shattering event that it appeared to be in the narratives written in its immediate aftermath. In part this is because Mehmed Pasha was no longer present as the potential patron for a narrative that asserted his heroism and service to the sultan. In addition, the rise of Mamlūk household factions and the reduction of the powers of the Ottoman governor may have rendered the event less relevant, and even a bit embarrassing. The replacement of direct

¹¹⁶ Aḥmad Çelebi b. 'Abd al-Ghanī, *Awḍaḥ al-ishārāt*, 131.

¹¹⁷ *Ibid.*, 132.

¹¹⁸ *Ibid.*, 133. On the *mushāq* tax, see Shaw, *Financial*, 174, 180.

tax administration with tax farming made it unlikely that another Mehmed Pasha would appear to reinstitute the power of the central government and bring the soldiers to heel. Mehmed Pasha continued to be remembered as a just ruler who had brought relief to Egypt's beleaguered subjects and as an able administrator who increased tax revenues without being oppressive. He also served as a reminder of the fickleness of fate and the vulnerability of the mighty who can fall at the height of their success.

Ultimately, the event of the *ṭulba* was a morality play in the eyes of the chroniclers. The moral to be learned changed over the century that followed the event. Mehmed Pasha could be seen as a loyal servant of the sultan, the champion of Islam against injustice, the precursor of the awaited Mahdī, a second Selim whose conquest vanquished injustice and restored the Holy Law to its proper place, the savior of the poor from the avarice of the rich and powerful, or simply as one of a series of governors who attempted to restore some order and efficiency to provincial administration. Despite evidence that he was not always consistent in his treatment of those labeled as rebels, and not always righteous in his deeds, Mehmed Pasha never lost his luster entirely. Perhaps the chroniclers of his deeds hoped that Egypt's present rulers would learn something from his example.

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ḤABEŞÎ MEḤMED AGHA:
THE FIRST CHIEF HAREM EUNUCH (DARÜSSAADE AĞASI)
OF THE OTTOMAN EMPIRE

Jane Hathaway

This brief contribution concerns Ḥabeşî (“Abyssinian”) Meḥmed Agha, who in 1582 became the first person to hold the title of Darüssaade Ağası (Arabic, Āghā Dār al-Sa‘āda), or Chief Eunuch of the imperial harem of the Ottoman Empire. I will put forward four principal points. First, the creation of the office of Darüssaade Ağası was directly related to the Ottoman Empire’s period of “crisis and adaptation,” beginning in the late sixteenth century and running through the seventeenth century. Second, Ḥabeşî Meḥmed did not acquire influence as a result of being appointed Chief Harem Eunuch; rather, he received the position as a result of the influence that he already wielded at the Ottoman court. Third, he had a considerable impact on cultural production in the Ottoman palace by commissioning important illuminated manuscripts. Finally, his mosque and tomb complex in the neighborhood of Çarşamba contributed to an effort to mark that part of the former Byzantine capital as a site of state-sponsored Sunni Islam.

Ottoman Eunuchs in Historical Perspective

The use of eunuchs as close companions of the ruler, on the one hand, and guardians of the harem, on the other, goes back to remote antiquity in the greater Mediterranean region, at least to the Assyrian empire and possibly all the way back to the very first human civilization in Mesopotamia.¹ Among Islamic empires, the use of East African eunuchs as harem guardians dates at least to the ‘Abbāsids.²

¹ See, for example, Russell, *Sennacherib’s Palace Without Rival at Nineveh*.

² The traveler al-Ya‘qūbī, in a report of his visit to Baghdad in the tenth century, mentions quarters for African slaves surrounding the caliph’s palace in the original round city; see Lewis, *Islam*, 2:75. African eunuchs also make numerous appearances in the *Thousand and One Nights*; see, for example, Dawood (tr.), *Tales from the Thousand and One Nights*, 16–17, 97, 103–4, 216.

The Ottomans adopted the use of eunuchs in both capacities early on, influenced no doubt by Byzantine and Seljuk practices,³ although when they first began to employ African eunuchs is less clear. By the late fifteenth century, a good proportion of the eunuchs who guarded the harem in the Old Palace, or Sarāy-i ‘Atīq, which Sultan Mehmed II (r. 1444–46, 1451–81) built in 1454 in newly-conquered Constantinople, were African. Likewise, when Hürrem Sultan, the wife of Süleymān I (“the Magnificent,” r. 1520–66) moved to Topkapı Palace in 1534, making it from then until the mid-nineteenth century the seat of the current sultan’s wives, concubines, mother, and unmarried daughters, the eunuchs who accompanied her were a mixture of Africans and white eunuchs who were probably largely from the Balkans.⁴

By this time, East African eunuchs were more available to the Ottomans than they had ever been. The Ottomans had conquered Egypt in 1517, and whoever ruled Egypt had direct access to the slave trade routes through the Sudan. Furthermore, coastal Ethiopia and part of what is now Sudan came under Ottoman control in the 1550s, during Süleymān’s reign. From then until the 1820s, when the autonomous regime of Mehmed (or Muḥammad) ‘Alī Pasha of Egypt occupied Sudan, the two key slave caravan routes across the eastern Sahara lay largely or even wholly in Ottoman-controlled territory.⁵ With the conquest of the Hijaz (1517) and Yemen (1538), furthermore, the Red Sea became a virtual Ottoman lake, across which Ethiopian eunuchs were often transported.⁶ Ethiopians such as Ḥabeşī Mehmed were par-

³ On Byzantine eunuchs, see, for example, Ringrose, *The Perfect Servant*, and Sidéris, “Une société de ville capitale.” On Seljuk eunuchs, see Ibn al-Athīr, trans. Richards, *Annals of the Saljuq Turks*, 44, 48, 100, 121–23, 146–49, 206, 234, 242, 284; Luther, *The History of the Seljuq Turks*, 77–78, 100, 110, 116, 121.

⁴ Necipoğlu, *Architecture, Ceremonial, and Power: The Topkapı Palace in the Fifteenth and Sixteenth Centuries*, 163. As Necipoğlu notes, the Venetian bailo of the time reports that Hürrem was already installed in Topkapı by then, despite the popular story attributing her move to a fire in her apartments in the Old Palace in 1541. See also Peirce, *The Imperial Harem*, 62–63, 121.

⁵ Orhonlu, *Habeş Eyaleti*, 31–68, 83–92, 129–40; Holt, *Egypt and the Fertile Crescent*, 52–54; Moore-Harell, “Economic and Political Aspects of the Slave Trade in Ethiopia and the Sudan,” 409. On the caravan routes, see Girard, *Mémoire sur l’agriculture, l’industrie et le commerce de l’Égypte*, 278–96; Gibb and Bowen, *Islamic Society and the West*, 1:305, n. 3. Orhonlu notes, however (p. 129), that during the eighteenth century the locus of commerce shifted back to the Red Sea.

⁶ On these conquests, see Holt, *Egypt and the Fertile Crescent*, 41, 52; Hathaway, *A Tale of Two Factions: Myth, Memory, and Identity in Ottoman Egypt and Yemen*, 81–82. On the Red Sea trade in eunuchs, see Penzer, *The Harem*, 139.

ticularly prized among African eunuchs, as they were among enslaved women and girls, because of their perceived beauty and intelligence.⁷

Customs in Ethiopia itself may also have played a role in the popularity of Ethiopian eunuchs. The kingdom of Ethiopia had a lengthy tradition of employing court eunuchs who apparently came from the kingdom's own territory. A verse in the New Testament Book of Acts focuses on "a man of Ethiopia, an eunuch of great authority under Candace queen of the Ethiopians, who had the charge of all her treasure" (Acts 8: 27–39)—apparently a Jew who was baptized by St. Philip after meeting him on the road running south from Jerusalem. Certain Ethiopian tribes may traditionally have supplied eunuchs to the Ethiopian court; when external powers—'Abbāsids, Fāṭimids, Ayyūbids, Mamlūks, finally Ottomans—came on the scene, these tribes may have extended this service to them, voluntarily or by coercion.⁸ Secondary literature on the Ethiopian slave trade suggests that the tribes of the southern and southwestern regions of Ethiopia, notably the Galla, Sidamo, and Agew, were key sources of slaves.⁹

As a result of this transformation, however it occurred, Topkapı now housed two separate corps of eunuchs: the eunuchs who guarded the harem, or "Abode of Felicity" (Ottoman Turkish, Darüssaade; Arabic, Dār al-Sa'āda); and the eunuchs who guarded the threshold in front of the sultan's audience chamber, known as the "Gate of Felicity" (Ottoman Turkish, Babüssaade; Arabic, Bāb al-Sa'āda), and, beyond it, what Leslie Peirce has called the "male harem," i.e., the Third Court of the palace, which was restricted to the sultan and his pages.¹⁰ Although exact figures are impossible to ascertain, the number of palace eunuchs peaked at the end of the sixteenth century, during the reign of Murād III (1574–95), at perhaps thirty to forty Babüssaade eunuchs and 600–800 harem eunuchs for a female harem population of perhaps 1200.¹¹

⁷ al-Jabartī, *'Ajā'ib al-āthār*, 3:69–70.

⁸ On the popularity of Ethiopian eunuchs under the 'Abbāsids, see Lewis, *Islam*, 2:109; Bosworth, "Eunuchs," 66–67; on their employment under the Fāṭimids, see Lev, *State and Society in Fatimid Egypt*, 87–89, 127–29; and Segal, *Islam's Black Slaves*, 89–102, esp. 95. On their popularity under the Ayyūbids and Mamlūks, see Wiet, "La mosquée de Kāfir au Caire," 264–65; Ayalon, "Eunuchs in the Mamlūk Sultanate," 273, 280–81; Marmon, *Eunuchs and Sacred Boundaries*, 39.

⁹ Moore-Harell, "Economic and Political Aspects of the Slave Trade," 410; on the Galla, see also Orhonlu, *Habeş Eyaleti*, 72–73.

¹⁰ Peirce, *The Imperial Harem*, 5, 11, 124, 139–41; see also Necipoğlu, *Architecture, Ceremonial, and Power*, 111f.

¹¹ Penzer, *The Harem*, 129–32. For Selīm II's reign (1566–74), see Necipoğlu, *Architecture, Ceremonial, and Power*, 163.

What is intriguing about the office of Chief Harem Eunuch is that it emerged and developed during the era of what used to be called “decline,” which has now been recast as a period, beginning in the late sixteenth century and running through the seventeenth century, when the Ottoman Empire passed through a profound crisis to which it was forced to adapt.¹² Where the palace was concerned, this crisis affected the manner in which the Ottoman dynasty reproduced itself and projected its authority. The evolution of the Chief Harem Eunuch’s office is, I would argue, an integral part of the palace’s adaptation to the crisis.

The harem eunuchs’ influence became pronounced during the seventeenth century as the Ottoman sultanate underwent several key transformations. During the fifteenth and sixteenth centuries, Ottoman princes were sent out to govern provinces, normally in Anatolia, so as to learn statecraft. When the sultan died, a rush for the throne ensued, and the prince who seized it would typically execute his surviving brothers, even very young ones, so as to prevent any possible rebellion. Beginning with Sultan Aḥmed I (r. 1603–17) at the beginning of the seventeenth century, both these traditions were abandoned, most likely because of fear for the Ottoman dynasty’s continued existence, given the paltry number of male offspring produced by Aḥmed’s father, Meḥmed III (r. 1595–1603).¹³ From now on, Ottoman princes were raised in the harem, where their education was overseen by the Chief Harem Eunuch. When they reached maturity—and many of them did reach maturity, since they no longer faced the threat of execution—they moved from the women’s quarters to a suite of rooms at the rear of the harem complex known as the *Ḳafeş*, or Cage. There a prince set up his own household, with a harem eunuch assigned to act as a combination accountant and mentor.¹⁴

The first half of the seventeenth century was marked, furthermore, by a series of unusually young and/or mentally incompetent sultans. Of these, two died in their late twenties while one, Osmān II, was

¹² Faroqhi, “Crisis and Change, 1590–1699”; Darling, *Revenue-Raising and Legitimacy*, especially chapter 1; Howard, “Ottoman Historiography and the Literature of ‘Decline’ of the Sixteenth and Seventeenth Centuries”; Kafadar, “The Question of Ottoman Decline.”

¹³ Peirce, *The Imperial Harem*, 45–50, 52–56, 97–103; Piterberg, *An Ottoman Tragedy*, 10–16.

¹⁴ Ottaviano Bon, in Firpo, ed., *Relazioni di ambasciatori veneti al Senato*, 92–93/440–41; see also Penzer, *The Harem*, 128.

murdered in 1622, at the age of eighteen.¹⁵ The resulting power vacuum was filled by the sultan's mother and the Chief Harem Eunuch, who was frequently her political ally. In consequence, the sultan's mother and the Chief Harem Eunuch became the main influences on the sultan's upbringing and outlook.

There had always been a "head eunuch" among the eunuchs who guarded the Ottoman harem, even before Hürrem Sultan moved to Topkapı in 1534; before 1582, however, he was subordinate to the Kapı Ağası (literally, "Agha of the Gate"), the chief of the Babüssaade, or threshold, eunuchs, otherwise known as the Chief White Eunuch. The office of Darüssaade Ağası was created by Sultan Murād III in 1582, when he transferred the supervision (Ottoman Turkish, *nizāret*; Arabic, *nizāra*) of the Haremeyn Evkāfı/Awqāf al-Haramayn from the Kapı Ağası to the head of the harem eunuchs. This is an important point because it signifies a transfer of the locus of imperial authority from the Third Court, guarded by the Kapı Ağası, to the harem, guarded by the Darüssaade Ağası. It also means that the office of Chief Harem Eunuch was from the outset attached to supervision of the Evkāf, a conglomeration of four enormous pious endowments founded by key sultans and imperial women during the sixteenth and seventeenth centuries, in some cases as extensions of pre-existing Mamlūk sultanate foundations. The Evkāf provided grain and various services to the poor of the Holy Cities of Mecca and Medina, and to Muslim pilgrims to the region.¹⁶ Land and properties all over the Ottoman Empire were endowed to these foundations. This meant that the position of superintendent, or *nāzır*, gave the Chief Harem Eunuch an intricate network of ties to grandees in the provinces, above all Egypt, who held the tax farms of various properties endowed to the Evkāf.

Habeşi Mehmed Agha

The very first eunuch to hold the office of Darüssaade Ağası was Habeşi Mehmed Agha, an Abyssinian or Ethiopian, as the *laqab*

¹⁵ Piterberg, *An Ottoman Tragedy*, 10 and *passim*.

¹⁶ See Shaw, *The Financial and Administrative Organization and Development of Ottoman Egypt*, 269–70; Uzunçarşılı, *Osmanlı Devletinin Saray Teşkilatı*, 177–83; idem, *Mekke-i Mükerrreme Emirleri*, 15; Hathaway, *The Politics of Households in Ottoman Egypt*, 140; eadem, "The Role of the Kızlar Ağası in Seventeenth-Eighteenth Century Ottoman Egypt," 141–42.

Ḥabeşî implies, who had been head of the harem eunuchs since Murâd III's enthronement in 1574. He was already by that time an influential person who had many clients within the palace, a number of whom later became viziers; most notable of these, no doubt, was Naşûh Pasha, who served as governor of Aleppo, married the daughter of Sultan Aḥmed I, and ultimately served as grand vizier from August 1611 through October 1614 before being executed.¹⁷ It is thus safe to say that Murâd III created the office of Darüssaade Ağası and appointed Ḥabeşî Meḥmed *nâzîr* of the Ḥaremeyn Evkāfı in recognition of his existing influence. This influence must have resulted at least in part from Murâd III's moving into the harem after he became sultan. Murâd was not raised in the harem; he was sent out to govern a province—in his case, Amasya in north central Anatolia—according to the old Ottoman tradition. As sultan, however, he spent much of his time there. He had living quarters built for himself in the harem, and even an audience chamber.¹⁸ Thus, he would have been in near-constant contact with Ḥabeşî Meḥmed Agha. Once he received the office of Darüssaade Ağası, as Gülru Necipoğlu notes, Ḥabeşî Meḥmed enlarged the gate of the harem looking over the Second Court (the one through which tourists enter the harem today) so that it was suitable for holding audiences; he began holding weekly audiences there to discuss matters related to the imperial *waqfs*,¹⁹ which he now supervised. The enlarged gate emphasized the Chief Eunuch's connection to the Baltacı, the palace corps of halberdiers, whose dormitories, just to the west of the harem gate, Ḥabeşî Meḥmed also expanded.²⁰

A particularly striking sign of Ḥabeşî Meḥmed Agha's authority is the fact that, as Zeren Tanındı has pointed out, he apparently directed the imperial *naḳḳāşhâne*, that is, the atelier that produced illuminated manuscripts for the sultan and his entourage, the exact location of which is unclear.²¹ Since Murâd III's reign is considered the high point of Ottoman miniature painting, we must conclude that Ḥabeşî

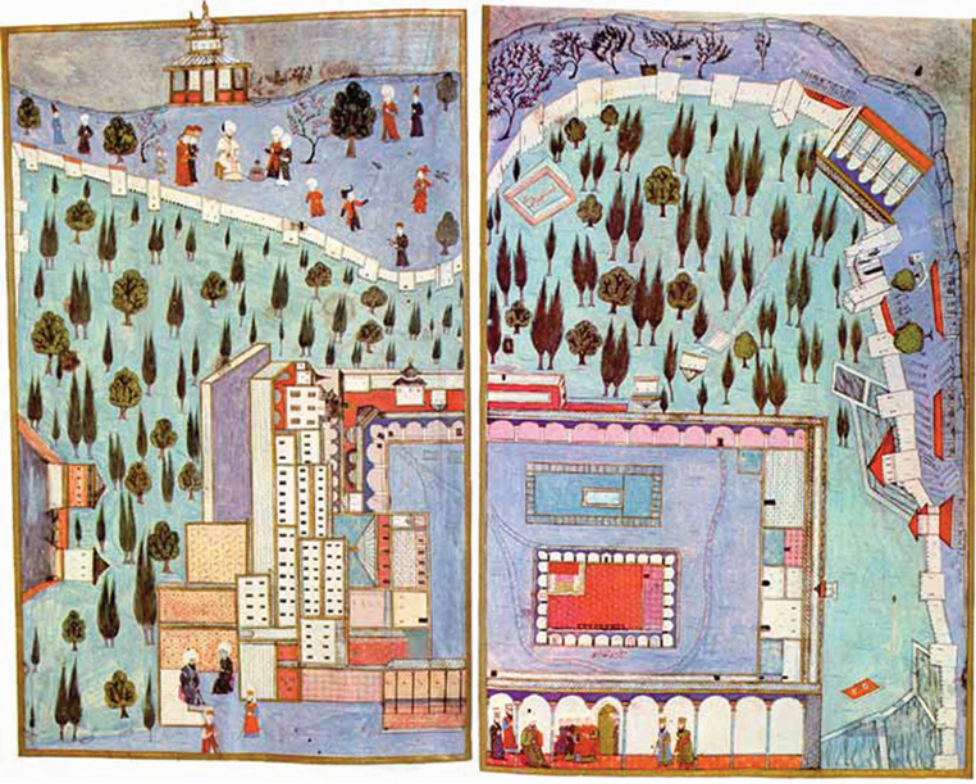
¹⁷ On Ḥabeşî Meḥmed in general, see Aḥmed Resmî, *Hamiletü'l-Küberâ*, 45. On Naşûh Pasha, see Muştafâ Şâfi, *Zübdetü't-tevârih*, 2:315–24; Murphey, "Muştafâ Şâfi's Version of the Kingly Virtues," 14, 24; Peçevi, *Peçevi Târihi*, 2:318–20. On Naşûh Pasha's connections to Ḥabeşî Meḥmed, see Anonymous, *Coppie d'une lettre écrite de Constantinople à un Gentil-homme François*, 4–5; Delbare, *Histoire des ministres favoris*, 321–22. I am grateful to Günhan Börekçi for bringing these sources to my attention.

¹⁸ Necipoğlu, *Architecture, Ceremonial, and Power*, 164–74.

¹⁹ Ibid., 174.

²⁰ Ibid., 74; Penzer, *The Harem*, 110–11, and Plate VIII.

²¹ Tanındı, "Topkapı Sarayı'nın Ağaları ve Kitaplar," 42–46.



Source: http://commons.wikimedia.org/wiki/File:Hunername_231b-232.jpg.

Figure 1. The Third Court of Topkapı Palace, from Lokmān's *Hünername*. Topkapı Sarayı Müzesi Kütüphanesi, MS Hazine 1523, fols. 231b–232a.

Meḥmed Agha was in part responsible for some of the magnificent manuscripts produced at the court during these years, with text by the illustrious court chronicler (*şehnāmecî*) Seyyid Lokmān and miniatures by the celebrated painter Naḳḳāş Osmān and others. Intriguingly, Ḥabeşî Meḥmed Agha is himself represented in some of these works, notably Lokmān's *Zübde't-üt-tevārîḥ* (*Cream of Histories*, 1583), illuminated by Naḳḳāş Osmān, where he appears as a small, pale blue-skinned figure to the right of the enthroned Murād III; and the same author's *Hünername*, a history of the Ottoman sultans, where Sultan Murād can be glimpsed with an African eunuch at the lower left of Naḳḳāş Osmān's scheme of Topkapı Palace's Third Court (Figure 1).²²

²² Ibid., 44, Figure 1; Fetvacı, "Visualizing the New World Order: Murād III, Meḥmed Agha, and Imperial Iconography." Lokmān's *Zübde't-üt-tevārîḥ* is not to be

Ḥabeşî Meḥmed also presumably oversaw production of what is arguably the most famous work produced in Murād III's atelier: the 1582 *Sûrnâme*, prepared to commemorate the circumcision of Murād's son, the future Meḥmed III. Murād III is portrayed in folio after folio of this work sitting on the enclosed balcony of the palace of the former grand vizier İbrâhîm Pasha (tenure 1523–36), watching Istanbul's craft associations parade through the Hippodrome below. Ḥabeşî Meḥmed appears in the final folios of the manuscript, sitting with the sultan and the influential dwarf Zeyrek Agha and holding a bound volume, perhaps the manuscript itself. The same trio appears in the *Nuşretnâme*, composed by the famous historian Muştafâ 'Alî (1541–1600) in 1584 to commemorate the Ottoman victory over the Safavids of Iran.²³

Perhaps the most striking example of Ḥabeşî Meḥmed's influence, however, is his mosque and tomb complex in the neighborhood of Çarşamba, which is located in Istanbul's Fatih district, just south of the Golden Horn (Figures 2–3).²⁴ The mosque in question is a large, imposing structure built in 1584–85 in the “classical” Ottoman style by Dāvūd Agha, the apprentice of the great Sinān and eventual successor to him as court architect, and decorated with tiles from the famous ceramic center of Iznik (the ancient Nicaea). Obviously, only one of the most influential people in the empire could have a mosque of this size built in such a highly-charged site by the future court architect and decorated with the finest tiles. Ḥabeşî Meḥmed's tomb, a cubical, domed stone structure that somehow came to incorporate a bit of Byzantine-era *spolia* in one corner, stands to one side of the mosque. In addition to the mosque and tomb, the complex originally encompassed a *dār al-ḥadīth*, or school for the study of the Sayings of the Prophet Muḥammad, and a convent for Khalwatī Sufis; a public bath and fountain that likewise formed part of the complex still stand. These structures suggest that the complex was built to serve a Muslim

confused with Muştafâ Şâfi's work of the same name. The relevant miniature from the *Hünernâme* (Topkapı Sarayı Müzesi Kütüphanesi, MS Hazine 1523, fols. 231b–232a) can be viewed at http://commons.wikimedia.org/wiki/File:Hunername_231b-232_detail.jpg.

²³ Tanındı, “Topkapı Sarayı'nın Ağaları ve Kitaplar,” 45–46 and Figure 2.

²⁴ The mosque is mentioned in Aḥmed Resmî, *Ḥamiletü'l-Küberâ*, 45. For a full architectural analysis of the complex, see Necipoğlu, *The Age of Sinan: Architectural Culture of the Ottoman Empire*, 497–501.



Source: Author's photo.

Figure 2. Exterior of Ḥabeşî Meḥmed Agha's mosque in Çarşamba.



Source: Author's photo.

Figure 3. Interior of Hâbeşî Meḥmed Agha's mosque in Çarşamba, showing the mihrâb.

population that had recently moved into what was at the time a heavily Greek neighborhood.

Together with the Mosque of Meḥmed the Conqueror (Fatih Camii), built between 1463 and 1470, and the Mosque of Sultan Selīm I, built in 1522, Ḥabeşi Meḥmed's complex helped to mark this district of Istanbul as a site of state-sponsored Ottoman Sunni Islam. This was a significant development, given that this area had been a central quarter of Byzantine Constantinople: the site of the Greek Orthodox Patriarchate; the Forum of the Emperor Theodosius (r. 347–95), formerly the Forum Tauri, later the location of the Old Palace and ultimately of Istanbul University; and, closer to Ḥabeşi Meḥmed's mosque, the palace of Blachernae, which the Byzantine emperors used from 1081 until the Ottoman conquest.²⁵ As an example of the topographical connection among these monuments, the historian Selānikī reports that when Ḥabeşi Meḥmed Agha died in early 1590, prayers were said in the harem of the Fatih Camii before his body was taken to his complex in Çarşamba for burial.²⁶

In addition to his complex in Çarşamba, Ḥabeşi Meḥmed commissioned a number of structures in Üsküdar on the Asian shore of the Bosphorus, which had not been part of Byzantine Constantinople but which had, by the late sixteenth century, become a key site for the construction of high-profile mosques and other religious structures. In the space of three decades, mosques had been built along and just east of the waterfront by Süleymān I's daughter Mihrimāh Sultan; by the long-time Ottoman official Şemsī Pasha, who served in the sultan's governing council, or *divān*, under Süleymān and his successors Selīm II and Murād III; and by Nūrbānu Sultan, the mother of Murād III. Slightly to the southeast of these structures, and farther inland, Ḥabeşi Meḥmed Agha commissioned two mosques (Arabic singular, *masjid*) for daily prayers. One of these was attached to a Qur'ān school (Ottoman Turkish, *şibyān mektebi*); the other, which drew income from a bread oven and numerous shops, was expanded into a Friday mosque (Arabic, *jāmi'*) by the powerful Chief Eunuch Ḥājji Beshir Agha in the eighteenth century. Near both mosques, and in several other locations in Üsküdar as well, the eunuch commissioned public fountains

²⁵ On these structures, see, e.g., Penzer, *The Harem*, 58; Norwich, *A Short History of Byzantium*, 301, 304, 380.

²⁶ Selānikī, *Tārīḥ-i Selānikī*, 1:229–30.

(Turkish singular, *çeşme*).²⁷ All these structures fell victim to neighborhood expansion and development during the first half of the twentieth century.

Nor was Hābeşī Meḥmed Agha the only harem eunuch to undertake building projects in Üsküdar. In 1635, a Friday mosque was constructed just to the west of one of Hābeşī Meḥmed's *masjids* for Malatyalı İsmā'īl Agha, who, in the early 1620's, had been the last white eunuch to hold the post of Darüssaade Ağası. The mosque complex, much like Hābeşī Meḥmed's complex in Çarşamba, includes a bath and a public fountain.²⁸ Over the course of the succeeding century, Üsküdar became a magnet for religious monuments by members of the imperial household, most notably the Yeni Valide Mosque, commissioned by Rābī'a Gülnuş Emetullāh, the mother of Aḥmed III (r. 1703–30), and the Ayazma Mosque, built for Sultan Muṣṭafā III (r. 1757–74). One of Muṣṭafā III's Chief Eunuchs, Mercān Agha (term 1768–72), is buried in a small graveyard behind the latter mosque, as is the Babüssaade Ağası 'Abdullāh Agha (d. 1789); meanwhile, two more Chief Harem Eunuchs from the eighteenth and nineteenth centuries are buried in the Doğancılar section of Üsküdar, just west of Malatyalı İsmā'īl's mosque, while a third is buried in Çamlıca, just north of Üsküdar.

The reasons for this concentration of eunuch and other imperial household-related mosques in Üsküdar must of necessity have differed from the motive behind Hābeşī Meḥmed Agha's construction in Çarşamba. (As for the tombs, the desire to situate them outside the city proper, as in the case of the Eyüp cemetery, located outside the Byzantine land walls, is entirely comprehensible.) Üsküdar was never part of the Byzantine capital of Constantinople, although it served as a defensive outpost for the Byzantines against the encroaching Ottomans during the thirteenth and early fourteenth centuries. However, the Ottomans occupied the district *ca.* 1348 and reinforced their hold on it following the construction of the Anadolu Hisarı fortress, farther north on the Asian side of the Bosphorus, by the Ottoman sultan Yıldırım Bāyezīd in 1391. Highly visible Ottoman religious structures may have heightened the sense of Üsküdar as an integral part of the

²⁷ The Web site of the Üsküdar municipality features detailed descriptions of all these structures. See www.uskudar-bld.gov.tr. See also Ayvānsarāyī, 2001.

²⁸ See the above-mentioned Web site, and Süreyya, *Sicill-i Osmānī*, 1:352.

Ottoman capital while reinforcing the aura of imperial authority in this critical port, which also served as a staging area for the annual pilgrimage caravan and for Ottoman armies campaigning in Asia.

The district's association with the *hajj* may go far toward explaining its attractiveness to imperial women and eunuchs. The Chief Harem Eunuch, as noted above, supervised the pious foundations for the Holy Cities and allocated the tax farms of various properties endowed to these mammoth foundations to his clients in the Ottoman provinces. Imperial women, Gülnuş Emetullâh chief among them, augmented the Haremeyn Evkâfı with substantial foundations of their own.²⁹ Unlike the Ottoman sultans, moreover, they occasionally made the pilgrimage themselves. In any case, Hâbeşî Mehmed Agha can be regarded as one of the pioneers in building a critical mass of public religious structures in this strategic neighborhood.

Conclusion

Hâbeşî Mehmed Agha's ascent to the office of Darüssaade Ağası illustrates the changing nature of Ottoman sovereignty at the end of the sixteenth century, when the harem became the main locus of political authority, both because of the sultan's residence there and because of the increasing influence of the sultan's concubines and mother. This transformation occurred in response to a crisis within the Ottoman dynasty at the beginning of the seventeenth century, when a series of sultans died young, leaving only underage heirs. The dynastic crisis was one component of a profound society-wide crisis that engulfed the Ottoman Empire, and much of the world, between the late sixteenth and the late seventeenth century. Murâd III's creation of the office of Chief Harem Eunuch constituted, in turn, part of the Ottoman effort to adapt to this dynastic challenge, much as the enlistment of peasant mercenaries and the delegation of tax-collecting duties informed the empire's response to the military and fiscal dimensions of the crisis.³⁰

²⁹ On this point, see Hathaway, *The Politics of Households in Ottoman Egypt*, 150–52, and the documents from the Topkapı Palace Archive cited there.

³⁰ See note 12 above; Inalcik, "The Ottoman Decline and its Effects upon the *Reaya*"; idem, "The Socio-Political Effects of the Diffusion of Firearms in the Middle East"; idem, "Centralization and Decentralization in Ottoman Administration"; Abu-Husayn, "The *Iltizâm* of Manşûr Furaykh: A Case Study of *Iltizâm* in Sixteenth-Century

Although Hābeşī Meḥmed attained the office of Chief Eunuch in recognition of his existing influence at the imperial court, he set a number of precedents that would continue to characterize the position until its abolition in the aftermath of the 1908 Young Turk Revolution.³¹ Most broadly, and arguably most importantly, the Chief Harem Eunuch would continue to function as a key component of harem influence. Yet Hābeşī Meḥmed's career established long-lasting patterns in more specific features of the Chief Eunuch's role as well. Future Chief Harem Eunuchs, notably Hājji Beshīr Agha, the longest-serving Chief Eunuch in Ottoman history, who held the office from 1717 to 1746,³² would likewise commission extravagant illuminated manuscripts, perhaps even directing the *naḳḳāşhāne* themselves.³³ And while no future Chief Eunuch would have as overt an architectural impact on Istanbul, certain of them, above all Hājji Muşṭafā Agha (tenure 1605–20, 1623–24) and the aforementioned Hājji Beshīr Agha, did make significant contributions to marking certain sections of the imperial capital, as well as various provincial capitals, as sites of official Ottoman Islam.³⁴

Syria; Shaw, *The Financial and Administrative Organization and Development of Ottoman Egypt*.

³¹ Penzer, *The Harem*, 20–22, 135; Ok, *Harem Dünyası*, 72–74.

³² See Hathaway, *Beshir Agha, Chief Eunuch of the Ottoman Imperial Harem*.

³³ Tanındı, "Topkapı Sarayı'nın Ağaları ve Kitaplar," 51–55; MacKay, "The Manuscripts of the *Seyāhatnāme* of Evliyā Çelebi," 279, 293–94.

³⁴ See, for example, Hathaway, *Beshir Agha*, 96–101. The inscriptions on the side of the Mosque of Sultan Aḥmed (the Blue Mosque) facing Hagia Sophia also attest to Hājji Muşṭafā Agha's influence as superintendent of the mosque's *waqf*. I am grateful to Günhan Börekçi for pointing this out.

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"I ENTERED MECCA...AND I DESTROYED ALL THE TOMBS":
SOME REMARKS ON SAUDI-OTTOMAN CORRESPONDENCE¹

Samer Traboulsi

The purpose of this paper is to examine a letter sent to the Ottoman Sultan Selim III (r. 1203–22/1789–1807) after the fall of Mecca to a coalition of Najdī and pro-Saudi troops in 1218/1803. The letter is attributed to Su'ūd b. 'Abd al-'Azīz (d. 1229/1814), then commander-in-chief and heir to the Saudi throne.² A search for the source of the letter and an analysis of its content in light of historical developments on the Najdī-Ḥijāzī front will prove instrumental in discovering the letter's true provenance.

In Search of the Source

Sa'ud to Salīm,

I entered Makkah on the fourth day of Muḥarram in the 1218th year of the Hijrah. I kept peace towards the inhabitants, I destroyed all things that were idolatrously worshipped. I abolished all taxes except those required by the law. I confirmed the Qāzī who you had appointed agreeably to the commands of the Prophet of God. I desire that you will give orders to the rulers of Damascus and Cairo not to come up to the sacred city with the Mahmal and with trumpets and drums. Religion is not profited by these things. May the peace and blessing of God be with you.³

The reader's first reaction to this letter may depend on his or her view of the rising Saudi state and the Wahhābī hegemony it was establishing throughout Arabia. It could be perceived as an offensive letter

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² The correct spelling of the Najdī ruler's name is Su'ūd and not Sa'ūd. Though the latter appears more commonly, even in academic circles, the author believes it is inappropriate to use the colloquial spelling in scholarly writings. This, of course, does not apply to anglicized derivatives of the name, such as "Saudi."

³ This is an exact reproduction of the text as it appears in Hughes, *A Dictionary of Islam*, 660. See also Vassiliev, *The History of Saudi Arabia*, 100.

written by an uncivilized, desert-dwelling Arab lacking the respect and manners appropriate for addressing the Sultan, the Custodian of the Two Holy Sanctuaries, and the supreme ruler of the Ottoman domains. It could also be interpreted as a bold statement by a rising young leader in defiance of the oppressive and “un-Islamic” rule of a non-Arab administration. In any case, this is a highly provocative letter that seems likely to have been used for the benefit of polemicists and propagandists on both sides.

Surprisingly, however, there was no such reaction. The letter is curiously absent from all early Najdī writings. We would expect for contemporaneous Najdī historians, such as Ibn Bishr (d. 1290/1873), to mention it with pride, but they do not.⁴ And neither do later Saudi historians, such as Ibn ‘Īsā (d. 1343/1924) or Ibn Ḍuwayyān (d. ca. 1353/1934).⁵ Not only were the Najdī historians seemingly unaware of the letter’s existence, but it apparently managed to elude nineteenth-century non-Saudi historians as well. It would have fitted well into Daḥlān’s critical and extensive account of the Najdī-Ḥijāzī conflict.⁶ Al-Jabartī and Ahmet Cevdet Pasha could also have been expected to include it in their coverage of the history of the Wahhābī movement and the first Saudi state.⁷

The earliest appearance of Su‘ūd’s letter in Arabic literature occurs only in Amīn al-Riḥānī’s history of modern Saudi Arabia, *Tārīkh Najd al-ḥadīth wa-mulḥaqātih*, published in 1928. Unfortunately, Riḥānī

⁴ Ibn Bishr was present in Mecca in 1225/1810 when Su‘ūd performed his seventh pilgrimage, see Ibn Bishr, *Unwān al-majd*, 1:314. The other contemporaneous Najdī historian, Ibn Ghannām, ends his account in 1212/1798, prior to the conquest of Mecca. There is also no mention of the letter in Ibn Lu‘būn (d. after 1257/1841), Ibn Turkī (d. ca. 1250/1834), or al-Fākhirī (d. 1277/1860). See Ibn Lu‘būn, *Tārīkh Ibn Lu‘būn*, 1:219; Ibn Turkī, *Tārīkh Najd*, 4:168; al-Fākhirī, *Tārīkh al-Fākhirī*, 3:113.

⁵ Ibn ‘Īsā, *Tārīkh ba‘ḍ al-ḥawādith al-wāq‘a fi Najd*, 130; Ibn Ḍuwayyān, *Tārīkh Ibn Ḍuwayyān*, 3:182.

⁶ Aḥmad b. Zaynī Daḥlān (d. 1304/1886) was the Shāfi‘ī *Muftī* of Mecca and *Shaykh al-‘ulamā’* of the Ḥaram through most of his career. Though Daḥlān was highly critical of Wahhābism, his *Khulāṣat al-kalām fi bayān umarā’ al-balad al-Ḥaram* is an invaluable source for the history of the Wahhābī movement and the first Saudi state.

⁷ The Egyptian historian ‘Abd al-Raḥmān al-Jabartī (d. 1825) showed great interest in the Wahhābī movement and developments in Arabia in his *‘Ajā‘ib al-āthār*. He was sympathetic to the Wahhābī reforms, to the extent of defending Su‘ūd’s seizure of the jewelry and precious items kept at the Prophet’s tomb in Medina. The Ottoman historian and statesman Ahmet Cevdet Pasha (d. 1895) did not share Jabartī’s sympathy for the Wahhābī movement. However, he devoted much space in his *Tarih-i Cevdet* to developments in Arabia, often supplementing his account with documents in Ottoman Turkish and Arabic.

does not cite his sources. However, he gives a hint in a statement preceding the letter: "Su'ūd wrote a letter to Sultan Selim III and this is the gist of it (*hādhā ma'nāh*)."⁸ This implies that Rihānī is either citing a version of the letter that he encountered during his travels in Arabia, and that he is relying on his recollection of its actual text; or, alternatively, that he is translating the letter from another language, rather than quoting it from its original Arabic source. The first of these two options can be safely dismissed since, had the letter been readily available in Arabia, it is highly likely that local historians would have discovered it. Therefore, Rihānī must have translated the letter,⁹ and the Western provenance of the text may explain why it has never appeared in Najdī and other Arabic historical accounts.¹⁰

Incidentally, Rihānī's decision to include the letter in a book that aims essentially to sing the praises of the founder of the Kingdom of Saudi Arabia makes perfect sense.¹¹ 'Abd al-'Azīz b. Su'ūd had recently conquered Mecca, overthrowing Sharīf Ḥusayn's newly-proclaimed Kingdom of the Ḥijāz in defiance of British interests in the region. More than a hundred years earlier, his great-grandfather had conquered the Ḥijāz, overthrowing the Sharīf of Mecca in defiance of the Ottoman Empire. King 'Abd al-'Azīz in the 1920s had therefore become the legitimate successor to Su'ūd the Great (*Su'ūd al-Kabīr*), who had first established Saudi authority over most of Arabia.

In order to locate the source of Su'ūd's letter, it is necessary first of all to focus on Western literature on nineteenth-century Arabia.

⁸ See Rihānī, *Tārīkh Najd al-ḥadīth wa-mulḥaqātih*, 58.

⁹ The letter reappears in the mid-sixties in a different version which is identical in content but with slightly different wording. Unfortunately, Su'ūd b. Hadhlūl, who is a member of the royal Saudi family, does not cite his source. However, the modern vocabulary used in this version of the letter, such as *ḍarā'ib* and *ashyā' wathaniyya*, suggests that it is being translated into Arabic by the Saudi author. This supports the aforementioned conclusion that the letter is translated from a Western source. Shortly after, Rihānī's version of the letter, not Ibn Hadhlūl's, appears in *Tārīkh al-bilād al-'arabiyya al-su'ūdiyya* by Munir al-'Ajlānī, a Syrian political asylee who was active in the Saudi administration. See Ibn Hadhlūl, *Tārīkh mulūk Āl Su'ūd*, 11 (I would like to thank Michael Crawford for bringing this source to my attention); 'Ajlānī, *Tārīkh al-bilād al-'arabiyya al-su'ūdiyya*, 3:11; al-'Uthaymīn, *Tārīkh al-mamlaka al-'arabiyyah al-su'ūdiyya*, 1:143–144.

¹⁰ We can safely rule out Ottoman provenance of the letter, since it was neither included in *Tarih-i Cevdet* nor does it appear in the Ottoman archives, see Kurşun, *al-'Uthmāniyyūn wa-Āl Su'ūd fī al-arshif al-'Uthmānī*, 77–79; Kurşun and al-Qarīnī, *Sawāḥil Najd (al-Aḥsā') fī wathā'iq al-arshif al-'Uthmānī* (Beirut, 2005).

¹¹ The biography of King 'Abd al-'Azīz b. Su'ūd occupies a significant part of the book.

The entry for “Wahhābī” in Hughes’ *Dictionary of Islam*, a popular reference work on Islam at the time,¹² seems to be the letter’s earliest known publication venue.¹³ It is probable that Rīḥānī quoted the letter from the *Dictionary*, since he offers an exact translation of the text as it appears in Hughes’ work. However, Rīḥānī also could have quoted the letter from Hughes’ own unspecified source.¹⁴ Accordingly, the search needs to focus on European literature published prior to 1885, when Hughes’ *Dictionary* first appeared in print. Here there are two types of possible sources: literature produced by European diplomats stationed in the various provinces of the Ottoman Empire; and travel accounts of Arabia.

We can assume that a letter addressed to the Sultan in Istanbul by the conqueror of Mecca would not have escaped the notice of European diplomats and agents, especially those keeping track of developments in Arabia. Unfortunately, however, a search in this direction proves unfruitful. Jean Raymond, a French artilleryman and agent in the service of the Ottoman governor of Baghdad, covered the fall of Mecca in his 1806 report to the French Foreign Ministry, without any mention of the letter.¹⁵ Similarly, the highly dramatized *History of the Wahabis* by the French consul to Aleppo, Louis de Corancez,¹⁶ offers no clues. Neither does Mengin’s detailed appendix “Précis de l’histoire des Wahabys” in his two-volume *Histoire de l’Égypte* or Brydges’ extensive appendix “A Brief History of the Wahaby” in his *An Account of the Transactions of His Majesty’s Mission to the Court of Persia*.¹⁷ It can therefore be concluded that the letter did not pass through the Arab

¹² Hughes’ *Dictionary* went through two editions, in 1885 and 1896.

¹³ Vassiliev, who rightly remarks (*History of Saudi Arabia*, 100), that the letter appears only in European Orientalist literature, cites Hughes’ *Dictionary* as his source.

¹⁴ Hughes listed a number of sources at the end of the entry on the Wahhābīs, none of which contained the letter.

¹⁵ See Raymond, *Mémoire sur l’origine des Wahabys*, 23; Vassiliev, *History*, 16.

¹⁶ De Corancez’s account (*History of the Wahabis*, 27) contains numerous inaccuracies. One example is his statement that, upon entering Mecca, Su’ūd put to death the *qāḍī* of the city and twenty other shaykhs who had refused to “adhere to the precepts of Wahhabism.”

¹⁷ Mengin based his account on information from Ibn ‘Abd al-Wahhāb’s grandson during his exile in Egypt after the fall of the first Saudi state. See Mengin, *Histoire de l’Égypte sous le gouvernement de Mohammed-Aly*, 2:527; Vassiliev, *History*, 13. Sir Harford John Brydges’ account is based on his personal experience in Iraq as an advisor to Sulaymān Pasha, governor of Iraq, and an agent of the East India company in Basra and Baghdad when Saudi authority was expanding in Arabia.

provinces of the Ottoman Empire on its way to Istanbul, assuming that it actually was sent there.

It is also possible that a European traveler discovered the letter while in Arabia. There are two obvious candidates: the Spanish agent for Napoleon, Domingo Badia y Leblich, a.k.a. Ali Bey al-Abassy, and John Lewis Burckhardt. Both these men were present in Mecca during or immediately after the first period of Saudi rule over the Ḥijāz. Ali Bey reached Mecca on 14 Dhū l-Qa'da 1221/23 January 1807, when Sharīf Ghālib (d. 1232/1817) was ruling under the tutelage of the Saudi state. Ali Bey observed Su'ūd as he performed his third pilgrimage with scores of his Najdī followers and tribal allies.¹⁸ However, Ali Bey refrained from approaching Su'ūd, so as not to disturb his cordial relations with Sharīf Ghālib.¹⁹ Thus, even though he was the Westerner with the closest proximity to the Saudi ruler, Ali Bey does not provide any clues to the possible source of Su'ūd's letter.

Burckhardt's *Notes on the Bedouins and Wahābys* provides a detailed account of the Saudi takeover of Mecca. Burckhardt landed in Jedda on July 18, 1814, during Muḥammad 'Alī's Arabian campaign. Accordingly, he could not have established direct contact with the Saudis.²⁰ However, since he failed to locate a written history of the Wahhābis in Mecca, Burckhardt had to rely on "some few persons, well informed of what has passed in their own neighborhood, [who] know but little of distant transactions."²¹ Concerning the quality of the material he collected, Burckhardt remarks: "Although it had occurred only eleven years before my travels in Hedjaz, [the details of the war over Mecca] were related to me with different circumstances."²² The end result was a fairly accurate account that corresponds to those of Ibn Bishr and Daḥlān. Unfortunately, Burckhardt does not mention the letter to Sultan Selim, though he does quote a six-page letter addressed by Su'ūd to the inhabitants of Mecca prior to his troops' takeover of the city in 1803.²³

¹⁸ Ali Bey implies in his account that he witnessed the Saudi takeover of Mecca, but this had already occurred twice, in 1803 and 1806. Indeed, Burckhardt criticizes him for this mistake. See Badia y Leblich, *Travels of Ali Bey*, 2:60; Burckhardt, *Notes on the Bedouins and Wahābys*, 254.

¹⁹ Badia y Leblich, *Travels*, 2:70.

²⁰ Burckhardt, *Travels in Arabia*, 1.

²¹ Burckhardt, *Notes*, 2:180.

²² *Ibid.*, 2:197.

²³ *Ibid.*, 2:363–69.

In sum, my search for Su'ūd's letter in the known literature on Arabia and the Ḥijāz under the first Saudi state revealed nothing. Thus, it might be safe to assume that the letter was a fabrication of a little-known European author who had never set foot in Arabia. Yet, though this is conceivable, an analysis of the letter shows that its presumed European author must have had an accurate knowledge of developments in Arabia. It is unlikely that such a scholar would have remained unnoticed in Orientalist and diplomatic circles, especially when the demand for information on the region was so high that it was possible for considerably less academically rigorous or original literature to be published. At this point, it may be helpful to examine the events surrounding the Saudi takeover of Mecca for possible clues as to the identity of the letter's author.

The Fall of Mecca

The countdown to the fall of Mecca began a month before the beginning of the *ḥajj* season in 1217/1802. Ghālib b. Musā'id, sharīf of Mecca and the Ḥijāz, decided to send his assistant and son-in-law 'Uthmān al-Maḍāyifī²⁴ to Dir'iyya, capital of the Saudi state, to reach an agreement with 'Abd al-'Azīz b. Muḥammad (d. 1218/1803) on the future of Ḥijāzī-Najdī relations. After more than twelve years of military defeat at the hands of the Najdī troops and their tribal allies, Sharīf Ghālib finally acknowledged that he could not possibly halt the Saudi expansion on his own. Yet his numerous pleas for military support from Istanbul proved futile.²⁵ Su'ūd b. 'Abd al-'Azīz had already established Saudi hegemony over central Arabia, the eastern province of al-Aḥsā', and the southwestern province of 'Asīr. The Saudi treasury was overflowing with the spoils from a raid made during the previous year on Ḥusayn's mausoleum in Karbalā'. Several tribes in the Ḥijāz were already shifting their allegiance to the Najdī camp. Nothing could now prevent Su'ūd from marching against the Ḥijāz and sealing his father's control over the rest of Arabia.

Ghālib was definitely aware of the turning tide, but it never occurred to him that his son-in-law would desert him and move to the other

²⁴ For more information on al-Maḍāyifī's career, see the editor's note in Ibn Bishr, *'Unwān*, 1:335–36.

²⁵ al-Jabartī, *'Ajā'ib*, 3:232–33; trans. Philipp and Perlmann, 3:353–55.

camp. Aḥmad b. Zaynī Daḥlān's dramatic retelling of al-Maḍāyifi's betrayal best represents the dismay of the Meccans at this treacherous move. He writes:

Upon reaching Dir'iyya and meeting with 'Abd al-'Azīz, they [al-Maḍāyifi and some Meccan notables] presented him with the letters. He received them with open arms and a happy mien. The first thing that al-Maḍāyifi said was: "O 'Abd al-'Azīz, promise me [that I will] rule and I will promise you Mecca. I ask you to clear the meeting, for I have matters to reveal to you." 'Abd al-'Azīz was pleased with what al-Maḍāyifi told him in private, and he appointed him over Ṭā'if and its surrounding Bedouins.²⁶

Al-Maḍāyifi immediately went to work for his new overlord, leading a contingent of Ḥijāzī tribesmen against al-Ṭā'if, then under the control of Ghālib's brother, Sharīf 'Abd al-Mu'īn. After 'Abd al-Mu'īn showed resistance, Su'ūd ordered two Ḥijāzī chieftains to join al-Maḍāyifi in his siege operations. The attackers now threatened to overwhelm the Ṭā'if garrison, despite the arrival of reinforcements led by Sharīf Ghālib himself. The situation was so hopeless that several tribal chieftains in charge of the garrison fled in the dark of night. Ghālib himself followed the next day, realizing that he could not stand and face the onslaught alone. Al-Ṭā'if then met a gruesome fate.

When they entered al-Ṭā'if, they killed people without discrimination: the old, the young, the servant, the nobleman, and the pauper. They slaughtered the suckling at its mother's breast and went up to the houses, bringing out and killing those in hiding. They found a group studying the Qur'ān and killed them to the last man. They massacred all those [who remained] in their houses. Then they went and slaughtered everyone in the shops and mosques. They killed men in the mosque who were kneeling and prostrating [themselves in prayer]. Woe unto them from the Almighty in the heavens! . . . The Bedouins would enter al-Ṭā'if every day to gather the booty and take it out. They plundered money, foundations and furniture. They were like rodents with mountains of booty stacked in their camp. As for books, they tossed them in the alleyways and markets to be ravaged by the wind; among them were thousands of copies of the Qur'ān, the [*Ṣaḥīḥs*] of Bukhārī and Muslim, and other books of *ḥadīth*, law, grammar, and many books on different sciences. They trampled on the books with their feet for days while no one dared to lift up a single page.²⁷

²⁶ Daḥlān, *Khulāṣat al-kalām*, 271. Ibn Bishr wrote that al-Maḍāyifi left Mecca after a disagreement with Ghālib and went to Dir'iyya to pay allegiance to 'Abd al-'Azīz. See Ibn Bishr, *Unwān*, 1:259; al-Bahkalī, *Nafḥ*, 201.

²⁷ Daḥlān, *Khulāṣat al-kalām*, 274.

Daḥlān's vivid description of the massacres may be overdramatized, but it tells us much about how the news reached Mecca.²⁸ It must have spread like wildfire in a city overflowing with pilgrims from the four corners of the Muslim world.²⁹ At that time, Mecca was most vulnerable despite the scores of soldiers escorting the different *ḥajj* caravans. It is easy to imagine that rumors spread among the panicked pilgrims even before Saudi troops started moving closer to Mecca. Under such chaotic circumstances, it would have been impossible for the city to endure a siege.

Al-Maḍāyifi, on the other hand, had established his hold over al-Ṭā'if and had written to Su'ūd with the good news. The latter, who was campaigning in southern Iraq, hastily joined the troops in the Ḥijāz. Su'ūd led his troops closer to Mecca and camped, waiting for a move from the Meccan side. Though Su'ūd was not personally responsible for the bloodshed in al-Ṭā'if, he moved swiftly to take advantage of its effects.³⁰ He meant to flex his muscles outside Mecca immediately before the *ḥajj*, when the city was most exposed. At that point, Su'ūd had the best chance for a peaceful takeover of the city; he hoped that by using psychological warfare, he could avoid fighting in Mecca during the holy months.

Sharīf Ghālib's call for jihad after the end of the *ḥajj* fell on deaf ears. The Moroccan caravan and the Imam of Muscat hurried back home. Sharīf Pasha, the Egyptian *amīr al-ḥajj*, and his Syrian counterpart, 'Abd Allāh Pasha al-'Aẓm, Governor of Damascus, could not agree on a unified response to the Saudi threat. They soon deserted Sharīf Ghālib, who moved as much of his property as possible to Jeddah before setting fire to his palace. He left his brother Sharīf 'Abd al-Mu'īn to negotiate terms of surrender with Su'ūd.

The Sharīf dispatched an *āghā* requesting Su'ūd's guarantee of protection for the people of Mecca, and asking to be appointed ruler of

²⁸ Ibn Bishr (*'Unwān*, 1:259–60) treats the fall of Ṭā'if like any other successful Saudi conquest. Here Ghālib flees from Ṭā'if because he is afraid, enabling 'Uthmān and his troops to enter without a fight. They kill around 200 and take massive amounts of booty which they divide among themselves after sending the fifth of the spoils (*khums*) to 'Abd al-'Azīz, who then appoints 'Uthmān over Ṭā'if and the Ḥijāz.

²⁹ Daḥlān (*Khulāṣat al-kalām*, 275) states that unprecedented numbers of pilgrims came to Mecca that year.

³⁰ After entering Mecca, Su'ūd addressed the inhabitants of the city, telling them that as soon as he heard about the fall of Ṭā'if, he rushed from Iraq to protect them from the Bedouins. Daḥlān, *Khulāṣat al-kalām*, 278.

the city on Su'ūd's behalf. A number of Meccan scholars also headed to the Najdī camp, where Su'ūd assured them that all inhabitants of Mecca were under his protection. He sent the following letter with them that was read out by the *muftī* of the Mālikīs after the Friday prayer on 7 Muḥarram 1218/29 April 1803:

In the Name of God, the Compassionate, the Merciful
From Su'ūd b. 'Abd al-'Azīz to all inhabitants of Mecca, its scholars, *āghās*, and the sultan's *qāḍī*. Peace be upon the followers of the right guidance. You, the neighbors of God and the inhabitants of His sanctuary, are safe with His protection. We summon you to the religion of God and His apostle. "Say: 'O People of the Book, come to an equitable word between you and us, that we worship none but God, do not associate anything with him and do not set up each other as lords beside God.' If they turn their backs, say: 'Bear witness that we are Muslims' (Qur'ān 3:64). You are on the path of God, of the *amīr al-muslimīn* Su'ūd b. 'Abd al-'Azīz, and of your *amīr* 'Abd al-Mu'in b. Musā'id, so listen to him and obey him so long as he obeys God.³¹

On the eighth of Muḥarram, Su'ūd entered Mecca with his troops in a state of *iḥrām* and performed the 'umra rites of *ṭawāf* and *sa'y*. The following day, he gathered the people of Mecca and its dignitaries at the Holy Mosque, ascended the pulpit with the *muftī* of Mecca at his right and the Ottoman *qāḍī* at his left, and addressed the crowds. In his speech, he reiterated his assurance of protection to the people of the Holy City, stating that God had formerly used them, "the weakest among the Arabs," to spread His religion, as Su'ūd had now done with his sword. He then unsheathed the sword, raising it high for all to see. He mentioned that he had rushed back from Iraq as soon as he heard about the massacres in al-Ṭā'if, so as to protect the Meccans from the Bedouins. He called upon the audience to worship God alone, not to associate others with Him, and to pledge allegiance to him. Sharīf 'Abd al-Mu'in, followed by the *muftī* and the *qāḍī*, then led the crowds in pledging their allegiance to the new master of the Ḥijāz.

In another general meeting later that same day, Su'ūd preached the tenets of the faith in the Holy Mosque and ordered the people of Mecca to participate actively in the breaking of the domes of the tombs of revered figures, of mausolea and of "idols, so that no one other than

³¹ Daḥlān (*Khulāṣat al-kalām*, 277) comments sarcastically that the letter was written on a piece of paper "that did not exceed five fingers in length" and that Su'ūd equated the Meccans with the Jews by quoting this Quranic verse.

God would be worshiped.” Burckhardt wrote: “At Mekka, not a single cupola was suffered to remain over the tomb of any renowned Arab: those even covering the birth-place of Mohammed, and of his grandsons, Hasan and Hosseyn, and of his uncle, Abou Táleb, and his wife, Khadydje, were all broken down.”³² It took three days to complete the job.³³

Another measure introduced by Su‘ūd was the unification of congregational prayers in the Holy Mosque, dividing the daily prayers among the heads of the four legal schools instead of repeating each prayer four times. Friday prayers were presided over by the Grand *Muftī* of Mecca, ‘Abd al-Malik al-Qal‘ī. Su‘ūd also abolished the invocation of the Prophet and prayers for his Companions after the morning call to prayer, labeling this a form of polytheism. He also ordered the confiscation and burning of all musical instruments and water-pipes after recording an inventory of the owners, and forbade the wearing of silk clothing and the public smoking of tobacco in water-pipes, especially “along the course between Ṣafā and Marwā.”³⁴ He also abolished all unlawful taxes traditionally collected by the *sharīfs*, such as the taxes on funerals, sales, and property.

Su‘ūd confirmed the existing *qāḍī* and *muftīs* in their positions and left behind a garrison of two hundred men before marching against Jeddah and Sharīf Ghālib.³⁵ Here the heavily fortified, walled city

³² Burckhardt, *Notes*, 2:109. The Meccans were busy rebuilding the destroyed domes and mausolea when Burckhardt entered the town after it had fallen to Muḥammad ‘Alī’s troops. See also Burckhardt, *Travels*, 171–74.

³³ Though Ibn Bishr states that it took more than ten days. On the demolition of the domes, see also Ibn Bishr, *Unwān*, 1:263; Jabartī, *‘Ajā’ib*, 3:253; English trans., 3:386.

³⁴ Jabartī, *‘Ajā’ib*, 4:5; English trans., 4:5–6.

³⁵ Vassiliev, (*History of Arabia*, 100), writes that Su‘ūd appointed a new judge from Dir‘iyya over Mecca who “produced a favorable impression by his fair administering of justice, unlike his Turkish predecessor.” This statement is based on Burckhardt’s account that confuses the first, peaceful takeover of Mecca in 1218/1803 with the later siege of 1219–20/1804–1805. Burckhardt also writes that the Ottoman *qāḍī* was replaced by “a learned man from Derayah called Ibn Nameh.” This might refer to ‘Abd al-Raḥmān b. Nāmī, who was the *qāḍī* of al-‘Uyayna and later of al-Aḥsā’, and who was involved in surrender negotiations with Ghālib at the end of the long siege of 1219–20. The Arabian sources do not support Burckhardt’s claim of Ibn Nāmī’s appointment. In contrast, Ibn Bishr states that Su‘ūd confirmed Mecca’s *qāḍīs* in their positions, but that at some point he also sent Ibn ‘Abd al-Wahhāb’s grandson, who served a short tenure in addition to the local judges. See Burckhardt, *Notes*, 2:193–96; Ibn Bishr, *Unwān*, 1:192, 283–87, 363–64; Dahlān, *Khulāṣa*, 291–92; Bahkalī, *Nafḥ*, 179, 200–2; Āl al-Shaykh, *Mashāhīr ‘ulamā’ Najd*, 29–31.

proved impregnable for an army that was accustomed to raids and light charges rather than long sieges requiring heavy artillery and ample provisions. Su'ūd was forced to lift the siege a few days later and to return to Najd.

Within two months, Sharīf Ghālib had regained control of Mecca with the help of Sharīf Pasha's Ottoman troops. The pro-Saudi garrison surrendered after a short siege that involved heavy Ottoman artillery. It is easy to imagine how horrific the experience must have been for the tribal warriors, who were shipped back home on specially-rented camels.³⁶ Wasting no time, the sharīf embarked on an ambitious project to reestablish control over the Ḥijāz. Al-Ṭā'if was among his first targets as he hoped to teach al-Maḍāyifi a lesson in loyalty. But in fact, the arrival of reinforcements from Najd and the failure of his campaign brought Ghālib back to reality. The pro-Saudi coalition, now well-established in the Ḥijāz, proved too much for him.³⁷

Sharīf Ghālib's only hope for securing additional reinforcements was during the *hajj* season. When the Syrian caravan arrived, the sharīf asked the *amīr al-ḥajj* of Damascus, Sulaymān Pasha, to leave behind a contingent of Ottoman soldiers to protect Mecca. Initially the pasha refused but then, after long negotiations, he conceded, leaving 150 well-armed soldiers with 150 camels. In the short run, the Ottoman soldiers were a godsend. They tipped the balance in favor of the Meccan side by defending the port of al-Layth to the south of Mecca and by retaking the port of Yanbu' to the north after it had been lost to the Wahhābis.³⁸ In the long run, however, Ghālib's recourse to direct Ottoman intervention sealed his fate and marked an end to his days as master of the Ḥijāz, and to the Ottoman pilgrimage caravans.

Dir'iyya was not willing to tolerate direct Ottoman involvement in the internal affairs of the Peninsula. The failed Ottoman campaigns, launched between 1201/1786 and 1213/1798 from southern Iraq against the Saudi heartland, stirred feelings of animosity on the two sides that had reached a point of no return. Furthermore, the opening of a new western front was probably harder for the Saudis to control, since it was farther from their power base in central Arabia. The

³⁶ Dahlān, *Khulāṣa*, 280–81.

³⁷ Al-Maḍāyifi and Abū Nuqta, the *amīr* of 'Asīr, launched another unsuccessful siege of Jeddah and wreaked havoc on areas traditionally under Ghālib's control. See Dahlān, *Khulāṣa*, 282.

³⁸ See Dahlān, *Khulāṣa*, 283–84.

proximity of the major Ḥijāzī urban centers to the Red Sea made them easily accessible to invading troops with heavier artillery and, as a result, harder to defend. Su'ūd had recently experienced Ottoman-style urban warfare in his failed siege of Jeddah. He had to control Mecca in order to secure the western approaches to the Saudi heartland. Therefore, Ghālib could no longer be tolerated; Mecca had to be brought back into the fold.

As in his earlier campaigns in the Ḥijāz, Su'ūd preferred to take the Holy City peacefully rather than capture it by force and run the risk of bloodshed. His only option was to lay siege to Mecca until it surrendered. Su'ūd had to act swiftly before the arrival of the pilgrimage season, when the city's provisions of arms and food would be replenished. Abū Nuqṭa of 'Asir and Sharīf Ḥumūd of Abū 'Arīsh were ordered to lay siege to Mecca from the south.³⁹ Al-Maḍayifī was put in charge of the western road to Jeddah, and his Bedouins made sure that it was rendered unsafe for travel. Su'ūd handled the northern front in person. His troops camped in Wādī Fāṭima, north of the city where, anticipating a long siege, he ordered the building of a fort.

The siege achieved its goals. It resulted in one of the worst pilgrimage seasons Mecca had ever experienced. Only two caravans, the official Syrian and Egyptian ones, managed to break the blockade. The Syrian caravan arrived by sea at Jeddah just as the northern land route was being blocked. None of the other popular caravans was able to make it. Even the inhabitants of Jeddah and Medina could not perform the *ḥajj* that year. Meccan houses that were usually rented to the pilgrims were empty at a time when the city should have been overflowing with people.

The Syrian and Egyptian officials rushed back home shortly after the end of the *ḥajj*, leaving Mecca to its fate. Daḥlān informs us that the Syrian *amir al-ḥajj* had to buy his way out of the city. It seemed he was so worried about the safety of the road to Jeddah that he took with him the remaining Ottoman soldiers left by his predecessor to support Sharīf Ghālib.⁴⁰

³⁹ Ghālib attempted to break the southern assault but was unsuccessful. Apparently he lost a great number of the Ottoman soldiers in this battle. Abū Nuqṭa returned to 'Asir after his victory but was soon ordered back to Mecca. See Daḥlān, *Khulāṣa*, 285; Ibn Bishr, *Unwān*, 1:283–84.

⁴⁰ Amīr Ḥaydar al-Shahābī wrote that this was a harsh year for the pilgrims, each of whom had to pay the Wahhābīs ten piasters and could not bring back any of the

The year 1220/1805 was a year of famine and scarcity for the inhabitants of Mecca. People were reduced to eating animal skins, cats, dogs, and carrion. Ghālib's success at holding off the besiegers and sending caravans to Jeddah resulted in an extension of the siege, thereby increasing the suffering of Mecca's inhabitants. As the siege lasted longer than Su'ūd had expected, he convened his allies and ordered the intensification of the siege, wanting to be done with this affair before the start of the *hajj* season.

Facing mounting internal pressure to surrender, Ghālib wrote to Su'ūd expressing interest in negotiating surrender terms, provided none of the local chieftains, particularly al-Maḍāyifī, was involved.⁴¹ The negotiations were entrusted to Shaykh 'Abd al-Raḥmān b. Nāmī, the *qāḍī* of al-'Uyayna, who had to go back and forth before securing an agreement between the two parties, just four days before the beginning of the *hajj* month. Accordingly, Ghālib remained in charge of Mecca, which was then opened to the Saudi troops and their allies during the pilgrimage season. The tenets of Islam, as elaborated in the reformist views of Ibn 'Abd al-Wahhāb, were to be observed in the city at all times.

Sharīf Ghālib obliged, ordering the Meccans to assist in the demolition of cupolas and mausolea, to study Wahhābī literature, and to perform all five daily prayers on time at the Holy Mosque. Ghālib himself had to fake observance of the new teachings by smoking tobacco from a hose hooked to a water-pipe hidden in a back room.⁴² A demonstration of generosity also proved useful in appeasing the local pro-Saudi chieftains, especially since Su'ūd did not join that year's pilgrimage.⁴³ However, 'Abdallāh Pasha al-'Aẓm of Damascus and his heavily-armed *hajj* caravan were there, prepared to face the unruly tribesmen.

The Syrians had already dealt with the Banū Ḥarb on the road to Mecca but now, upon reaching the city, 'Abdallāh Pasha was overwhelmed by the swarms of pro-Saudi troops and consented, like his predecessors, to pay a pilgrimage fee.⁴⁴ He was also asked not to bring the *maḥmal* and the *mehter* military band in the following year's

usual goods. See Daḥlān, *Khulāṣa*, 285; al-Shahābī, *al-Ghurur al-ḥisān*, 433; Ḥasan Aghā al-'Abd, *Tārīkh*, 119–20.

⁴¹ Bahkalī, *Nafḥ*, 201–2.

⁴² Badia y Leblich, *Travels*, 2:57.

⁴³ Daḥlān, *Khulāṣa*, 291–93.

⁴⁴ Shahābī, *Ghurur*, 435; Vassiliev, *History*, 105.

caravan. The Wahhābīs considered the *maḥmal*, a richly embroidered palanquin with purely ceremonial purpose, to be a religious innovation that served no purpose other than to glorify the Ottoman sultan. The *mehter* band was another symbol of the military might of the Ottoman Empire, in addition to the fact that in strict religious circles, music was already objectionable.⁴⁵ By commanding the official representative of the Ottoman sultan to refrain from bringing these two symbols of Ottoman sovereignty on the *ḥajj*, Su'ūd effectively sent a message to Istanbul that he was now in charge of the two Holy Sanctuaries. The religious aspect of the ban was clear, but its political message even more so.

In fact, Su'ūd's defiance was calculated. He knew well that the Ottomans would not agree to his terms and would no longer send their official pilgrimage caravans. In the following year, 'Abdallāh Pasha al-'Aẓm headed back to Damascus just before reaching Medina, where he was asked to abide by the stipulated conditions, to surrender the *maḥmal* and his heavy artillery, and to leave the *mehter* band behind. These were terms that no military leader with any degree of dignity could accept.⁴⁶ But in fact, Su'ūd was anticipating the pasha's decision. The Najdī historian Ibn Bishr informs us that Su'ūd ordered his men to prevent 'Abdallāh Pasha from reaching Mecca, for fear that he might join forces with Sharif Ghālib.⁴⁷ It seems the prohibition of the *maḥmal* was merely an excuse to ban the Ottoman caravan.

Unlike the Syrians, the Egyptian caravan made it to Mecca in 1221/1807, only to be met by Su'ūd who burned its *maḥmal*.⁴⁸ Su'ūd sent a crier around the city to announce that, as of that year, no man could come to Mecca clean-shaven.⁴⁹ He also ordered the remaining Ottoman garrison (*al-atrāk* and *'askar al-rūm*) out of Mecca, and sent away the newly-appointed Ottoman *qāḍī*, replacing him with a Mec-

⁴⁵ For polemics over the admissibility of music, see Shiloah, *Music in the World of Islam*, 31–44.

⁴⁶ Jabartī, *'Ajā'ib*, 4:50; Eng. trans., 4:73; Ḥasan Āghā al-'Abd, *Tārīkh*, 131–22; Badia y Leblich, *Travels*, 2:66, 135–36.

⁴⁷ Ibn Bishr, *'Unwān*, 1:292.

⁴⁸ Daḥlān, *Khulāṣa*, 294; Jabartī, *'Ajā'ib*, 4:59; Eng. trans., 4:85. Ibn Bishr and Badia y Leblich (who was in Mecca during the pilgrimage of 1221), do not mention the burning of the Egyptian *maḥmal*.

⁴⁹ Though it does not say so specifically, this ban on shaved men (*ḥaliq al-dhaqan*) could be targeting non-Arabs, adult slaves (who were not supposed to wear beards), or sexually attractive adolescent boys. See Vassiliev, *History*, 105; El-Rouayheb, *Before Homosexuality in the Arab World*, 26.

can judge.⁵⁰ No official Ottoman caravan would make it to the *hajj* as of that year.⁵¹ Ottoman sovereignty over the two Holy Sanctuaries had officially ended, at least for the time being.

Back to Su'ūd's Letter

The purpose of this survey of the events surrounding the takeover of Mecca by the Saudis and their allies has been to provide the historical context needed to analyze the content of the letter in order to reveal possible clues about the author's identity. Here is the letter again:

Sa'ud to Salīm,

I entered Makkah on the fourth day of Muḥarram in the 1218th year of the Hijrah. I kept peace towards the inhabitants, I destroyed all things that were idolatrously worshipped. I abolished all taxes except those required by the law. I confirmed the Qāzī who you had appointed agreeably to the commands of the Prophet of God. I desire that you will give orders to the rulers of Damascus and Cairo not to come up to the sacred city with the Mahmal and with trumpets and drums. Religion is not profited by these things. May the peace and blessing of God be with you.⁵²

The author appears to be informed about the events surrounding Su'ūd's first takeover of Mecca. He is aware that no harm has befallen the inhabitants of the holy city,⁵³ and that the domes and mausolea marking the religious sites and tombs of holy people have been demolished. He also mentions the abolition of the non-canonical taxes traditionally imposed by the *sharīfs* of Mecca. However, unlike Burckhardt and De Corancez, and in agreement with the Arabian sources, the letter's author states that the Ottoman *qāḍī* has been confirmed in his position.

⁵⁰ Ibn Bishr, *Unwān*, 1:292; Daḥlān, *Khulāṣa*, 294–95; Badia y Leblich, *Travels*, 2:124.

⁵¹ Daḥlān, *Khulāṣa*, 294; Jabartī, *'Ajā'ib*, 4:50, Eng. trans. 4:77. However, Burckhardt (*Notes*, 2:204–5, 212–13) informs us that pilgrims from all over the Muslim world continued to arrive to Mecca for the *hajj*. They arrived mainly by sea through Jeddah and traveled unarmed to Mecca. Brydges (*Brief History of the Wahabys*, 35) adds that "pilgrims from India, Yemen, and Africa, who landed at Jedda were never prevented by Saoud from going on to Mecca."

⁵² Hughes, *Dictionary*, 660; Vassiliev, *History*, 100.

⁵³ It is possible that the author is pointing out here that Mecca has not been subjected to the same bloody fate as al-Ṭā'if. However, this may be reading too much into the text and the author's intention.

The final point concerning the Syrian and Egyptian *maḥmals* and the *mehter* military band, however, proves somewhat problematic. The earliest date given for an official Saudi request to abolish the Ottoman ceremonial practices from the *ḥajj* caravans is during the *ḥajj* of 1220/1806. Daḥlān reports the following conversation between Suʿūd and the Syrian and Egyptian caravan officials:

[Suʿūd asked,] “What are these insignificant customs (*ʿuwaydāt*) that you bring with you and hold in such veneration among yourselves?” They answered: “It is a custom which has been observed from ancient times. It is an emblem and a signal for the pilgrims to gather.” He said: “Do not do this and do not bring them after this year. If you do, I will smash them.” Additionally, he stipulated that they not bring drums and trumpets.⁵⁴

That conversation could not have occurred in 1220/1806 because, as mentioned above, Suʿūd did not perform the *ḥajj* that year. Most probably, Daḥlān borrowed this dialogue from al-Jabartī’s chronicle to embellish his account.⁵⁵ However, there is no reason to doubt that in 1220/1806, the leaders of the Ottoman caravans were informed of Suʿūd’s restrictions, particularly in view of the fact that, in the following year, the Syrian caravan was sent back home and the Egyptian *maḥmal* was burned. It is therefore safe to assume that the letter was written in 1220/1806 or later.

The last significant issue in the letter is the dating of Suʿūd’s entrance into Mecca. The letter states that it happened on 4 Muḥarram 1218/26 April 1803. However, it is fairly well established in the sources that it actually occurred on Saturday 8 Muḥarram/30 April.⁵⁶ This is a strange error from an author who appears well informed about developments in Mecca. He should have known better if he or his informant(s) was (were) in Mecca during the events. The Najdī historian Ibn Bishr

⁵⁴ Daḥlān, *Khulāṣa*, 294.

⁵⁵ Al-Jabartī (*ʿAjāʾib*, 4:16, 51; Eng. trans. 4:23, 73–74) includes this conversation with the Wahhābī (not necessarily Suʿūd) in his chronicle among the events of Jumādā II 1221/August–September 1806. He heard it in person from the Egyptian *amīr al-ḥajj*, Muṣṭafā Jawish. Oddly, al-Jabartī repeats the same dialogue among the events of Ṣafar 1222/April–May 1807, after mentioning the return of the Moroccan pilgrims. Under Rabīʿ II of that year, he notes the burning of the *maḥmal*. The second occurrence of the dialogue must be a mistake.

⁵⁶ See the editor’s footnote at Ibn Bishr, *Unwān*, 1:261–62; Daḥlān, *Khulāṣa*, 277.

makes a similar lapse when he infers that Su'ūd's entrance happened earlier than it did, at the end of the year 1217.⁵⁷

If it can be assumed that the letter's author was not in Mecca around that time, then he must have been close enough to get the details of the events from informants who were there. The search for the author must, therefore, be widened to encompass Westerners who were present elsewhere in Arabia between 1803 and 1806.

The first person who comes to mind is an Englishman who spent the period between April and July 1805 in the port of Mocha. George Annesley (d. 1844), second Earl of Mountnorris and ninth Viscount Valencia, traveled extensively in India, Ceylon, and Abyssinia between 1802 and 1806. On the way to Abyssinia, he stopped in Mocha and wrote a detailed description of the port, its trade, and its inhabitants. Bearing in mind the interests of the Crown in the Indian Ocean and the Red Sea, Annesley expressed much interest in Saudi expansionism in Arabia. He wrote:

The Bombay Government behold, without concern, a revolution, which is again connecting the disunited Arabs under one supreme master. It is a circumstance well worthy of remark, that this has, for the first time since the death of Ali [ibn Abi Talib], occurred at a moment, when the surrounding kingdoms of Asia and Africa are sunk into the same state of imbecility and distraction, to which they were reduced under the Romans, when the dissolute and lukewarm Christians were obliged to yield to the ardent and zealous followers of Mohammed.⁵⁸

The viscount's strong opinions are expressed at the conclusion of a well-informed ten-page historical and religious exposé of the Saudi state and the Wahhābī movement. The focal point of the presentation is the fall of Mecca to Su'ūd's forces, exactly two years before Annesley set foot in Mocha. Annesley writes about al-Maḍāyifī's desertion, and the subsequent fall of al-Ṭā'if and the massacre of its inhabitants. The viscount then describes Sharif Ghālib's flight to Jeddah and Su'ūd's victorious entry into Mecca. He provides a detailed description of the demolition of tombs, the burning of water pipes, and the ban on coffee, before writing:

⁵⁷ Ibn Bishr does not give an exact date for Su'ūd's entrance into Mecca, but he mentions it among the events of the year 1217.

⁵⁸ Annesley, *Voyages and Travels*, 2:392–93.

[Su'ūd] acted with moderation, and confirmed the Cadi whom the Grand Seigneur had appointed. He also wrote to him the following letter.⁵⁹

Suud⁶⁰ to Selim,

I entered Mecca⁶¹ on the 4th day of Moharem⁶² in the 1218th year of the Hejira.⁶³ I kept peace towards the inhabitants. I destroyed all the tombs⁶⁴ that were idolatrously worshipped. I abolished the levying of all customs above two and a half percent.⁶⁵ I confirmed the Cadi whom⁶⁶ you had appointed to govern in the place⁶⁷ agreeably to the commands of Mohammed.⁶⁸ I desire that, in the ensuing years,⁶⁹ you will give orders to the Pashas of Shaum, Syria, Misr, and Egypt, not to come accompanied by the Mahamel, trumpets and drums, into Mecca and Medina.⁷⁰ For why?⁷¹ Religion is not profited by these things. Peace be between us, and may the blessing of God be unto you!⁷² Dated on the 10th day of Moharem.⁷³

It would therefore appear that this forged letter was authored by an English nobleman who was passing through Arabia as the Saudis established their authority over Mecca and the Ḥijāz. But, is it safe to assume that he was the actual author of the letter, or was he merely translating an Arabic original?

The viscount's text reflects his linguistic limitations, indicating that he was probably relying on interpreters to communicate with the locals. His attempts at reproducing Arabic words as they sounded to him show that he was relying on an Arabic original. The spellings "Suud" instead of "Sa'ud," "Pashas of Shaum and Misr," and "Mahamel" in the plural form are a few examples of his attempted aural renditions.

⁵⁹ The variants between Annesley's and Hughes' versions will be noted in what follows. See Annesley, *Voyages and Travels*, 2:390.

⁶⁰ Hughes: "Sa'ud."

⁶¹ Hughes: "Makkah."

⁶² Hughes: "Muḥarram."

⁶³ Hughes: "Hijrah."

⁶⁴ Hughes: "things."

⁶⁵ Hughes: "I abolished all taxes except those required by the law."

⁶⁶ Hughes: "Qāzi who."

⁶⁷ Hughes omits "to govern in the place."

⁶⁸ Hughes: "the Prophet of God," instead of "Mohammed."

⁶⁹ Hughes omits "in the ensuing years."

⁷⁰ In Hughes, "the Pashas of Shaum... Mecca and Medina" is replaced by "the rulers of Damascus and Cairo not to come up to the sacred city with the Mahmal and with trumpets and drums."

⁷¹ Hughes omits "For why?"

⁷² In Hughes, "Peace be between us, and may the blessing of God be unto you" is replaced by "May the peace and blessing of God be with you."

⁷³ Hughes drops the date of the letter.

On the other hand, his ending, "Peace be between us," instead of the common "Peace be upon you" or "upon us," must have been an error in translation, since it does not make sense in Arabic. Undoubtedly, it was the "rough" quality of Annesley's version that compelled Hughes to edit the letter to make it comply with the Orientalist scholarly standards of the time.⁷⁴

Though George Annesley does not mention the letter's source, we can safely assume that his informant was "[his] good friend Hadje Abdallah, who was avowedly a Wahabee, and was in Mecca at the time it was taken by Suud."⁷⁵ Nevertheless, it is still not certain whether Hadje Abdallah is the actual author of the letter. He may have transmitted a letter that was floating around in southern Arabia, or merely have purveyed various materials that the viscount put together into the form of a letter.

By identifying the letter's provenance and its date of composition, we obtain a better picture of the Saudi restrictions on the Ottoman *hajj* caravans. As previously established, the earliest date for an official Saudi request to abolish the Ottoman ceremonial practices from the *hajj* caravans was during the pilgrimage season of 1220, which fell in March 1806. The Saudi decision was conveyed to the governor of Damascus, 'Abdallāh Pasha al-'Aẓm, who brought the Syrian caravan to Mecca immediately after the surrender of Sharīf Ghālib to the besieging Saudi forces. This would have been too late for Annesley, who left Mocha in July 1805.

The Saudi request must therefore have been conveyed to the Ottomans during the previous *hajj* season of 1219, which fell in March 1805. At that time, Mecca was under siege and the Syrian and Egyptian caravans had to follow a detour, arriving by sea through Jeddah. The Syrian caravan was led by the previous governor of Damascus, Ibrāhīm Pasha, who had established contact with al-Maḍāyifi in order to buy his way out of Mecca. This is probably when the governor received Su'ūd's order not to bring the *maḥmal* again. 'Abdallāh Pasha must have ignored the request the following year and brought more soldiers to secure the caravan.⁷⁶

⁷⁴ For a detailed comparison between the two versions, see the preceding footnotes.

⁷⁵ Unfortunately, the viscount does not provide additional information about his informant. See *Voyages and Travels*, 2:384.

⁷⁶ 'Abdallāh Pasha's soldiers proved a match for the Banū Ḥarb when they attacked them on the road to Medina.

A few weeks later, George Annesley landed at Mocha in time to hear the fresh news about the siege of Mecca and the *hajj* caravans. He commented, "The Pasha of Syria forced his way through the undisciplined troops of Suud, and the usual ceremonies were performed by the Faithful at the holy Caaba; probably for the last time."⁷⁷ Obviously, the *hajj* continued, with or without the official Ottoman caravan. The Englishman's prediction that "the mighty fabric of Islamism must be considered as having passed away, from the moment Suud entered Mecca"⁷⁸ was, obviously, somewhat hasty. Annesley's travel account appeared in print in 1809, four years prior to the fall of Mecca to Muḥammad 'Alī's troops.

Su'ūd's letter to Sultan Selim was, therefore, the result of a collaboration between a South Arabian Ḥajjī and an English nobleman. It received fame from Thomas Hughes, who edited it and published it in his famous *Dictionary of Islam*. The letter was then brought back to Arabia with Amīn al-Riḥānī, who translated it and published it in his eulogy of the founder of the modern Saudi state. However, it can be accepted with certainty that neither Su'ūd nor Selim ever read the letter.

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⁷⁷ Annesley, *Voyages and Travels*, 2:391.

⁷⁸ By "Islamism," Annesley means the political authority of the Muslims in the form of the Ottoman Empire. He adds, "the Koran may be revered for a longer period throughout a portion of Asia." See *Voyages and Travels*, 2:393.

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III. JURIDICAL AND INTELLECTUAL HISTORY

THE 'ĀQILA IN ḤANAFĪ LAW: PRELIMINARY NOTES*

Nurit Tsafir

The 'āqila, or blood-money group, is a group of adult men who are collectively liable for the payment of *diya* (or 'aqḷ, money due as compensation for homicide or bodily harm) on behalf of any one of them.¹ This legal institution found its way from pre-Islamic Arab customary law into Muslim law, although the principle that underlies it, namely, joint liability, is at odds with the Muslim notion of individual responsibility that is based on the Qur'ān.² In the transition from Arab custom to Muslim law, the institution of the 'āqila and rulings connected with it underwent significant changes. One such change, introduced by the Ḥanafīs, relates to the composition of the 'āqila. Unlike the Shāfi'īs, Ḥanbalīs, and some of the Mālikīs who rule, in line with pre-Islamic law, that a man's 'āqila is made up of his agnatic relatives,³ the Ḥanafīs follow an opinion according to which the 'āqila is composed of the warriors (*muqātila*) of a man's military division, who are registered on the same payroll of the *dīwān*. The *diya* is to be deducted from their annual stipends (*a'ṭiya* or *a'ṭiyāt*, sing. 'aṭā') and paid to the victim or

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¹ The question of whether the man on whose behalf the *diya* is paid participates in the payment is disputed (for example, Marghinānī, *Hidāya*, 4:1714–15; Ibn Qudāma, *Mughnī*, 12:22).

² *EP*, art. "Āqila" (Brunschrivig), 1:338a. For the relevant Qur'ānic verses, see Māwardī, *al-Hāwī l-kabīr*, 12:341; for the contradiction, and for attempts to explain it away and to justify the institution of the 'āqila see, for example, Jaṣṣāṣ, *Aḥkām al-Qur'ān*, 2:272–3; Sarakhsī, *Mabsūt*, 27:125; Marghinānī, *Hidāya*, 4:1711; Ibn Rushd, *Bidāyat al-mujtahid*, 4:1678; Juwaynī, *Nihāyat al-maṭlab*, 16:503–4.

³ Mālikīs: Ibn Rushd, *Bidāyat al-mujtahid*, 4:1679–80. Ḥanbalīs: Ibn Qudāma, *Mughnī*, 12:39–40. According to the Shāfi'īs, a man's ascendants and descendants are excluded from his 'āqila (Peters, *Crime and Punishment*, 50; Māwardī, *al-Hāwī l-kabīr*, 12:344; Shirāzī, *al-Muhadhdhab*, 5:169). This is also one of the opinions ascribed to Ibn Ḥanbal (Ibn Qudāma, *Mughnī*, 12:40). For the joint liability of agnates for payment of blood money in pre-Islamic society see Landau-Tasserion, "Alliances among the Arabs," 144.

to his family.⁴ This legal opinion originates, as Schacht noted, in an early Umayyad administrative practice.⁵ What follows is a discussion of this Umayyad practice (I), of the Ḥanafī opinion (II and III), and of the relations between them (IV). The last section (V) deals with a significant disagreement about this opinion within the Ḥanafī school.

I

According to Muslim tradition, the *dīwān* was established by ʿUmar b. al-Khaṭṭāb (r. 12–23/634–44). In his time it was a register that contained the names of members of the Prophet's family and those who contributed to Islam as warriors and/or emigrants who settled in the Muslim garrison cities. Once registered in the *dīwān*, they were entitled to a regular stipend, paid out of the revenues from the conquered lands.⁶ By the Umayyad period each garrison city or province had its own *dīwān*, in which its Muslim emigrants were registered, together with their families. They (and their dependents) were entitled to stipends in return not only for past service to Islam by participating in the conquests, but also for being available for future military service when summoned; and although, in practice, not all those registered in the *dīwān* served in the army, in a way they were all considered part of it and received stipends. The *dīwān* kept a record of all the Muslims who settled in the garrison cities, and these constituted the Muslim army.⁷ It follows that when the Umayyad administrative practice of paying the *diya* out of the stipends was introduced, it applied to all or most Muslims in the conquered lands.

A report preserved in the *Kitāb al-Quḍāt* of al-Kindī (d. 350/961) suggests that this practice was introduced by Muʿāwiya (r. 41–60/661–80).⁸ Muʿāwiya is said to have instructed Sulaym b. ʿItr, the *qāḍī* of

⁴ Schacht, *Origins*, 207; *EP*, art. “Āqila” (Brunschvig), 1:338b; Brunschvig, “Considérations sociologiques sur le droit musulman ancien,” 69. Some Mālikīs also supported this opinion (Qarāfi, *Dhakhira*, 12:387–88; Zurqānī, *Sharḥ*, 8:76). The *ʿaqila* of those who were not registered in the *dīwān* usually continued to rest on common *nasab* (Shaybānī, *Aṣl*, 4:665; Jaṣṣāṣ, *Aḥkām*, 2:275; Kāsānī, *Badāʾiʾ al-ṣanāʾiʾ*, 10:316).

⁵ Schacht, *Origins*, 207.

⁶ *EP*, arts. “Dīwān (i.-The Caliphate)” (Duri), 2:323b, and “ʿAṭāʾ” (Cahen), 1:729; Puin, *Der Dīwān von ʿUmar ibn al-Ḥaṭṭāb*, 94–100; Kennedy, *The Armies of the Caliphs*, 61–62.

⁷ Crone, “The Early Islamic World,” 312–13. Regarding the lack of clear distinction between soldiers and civilians see also Kennedy, *The Armies of the Caliphs*, 18.

⁸ Kindī, *Kitāb al-Quḍāt*, 309, referred to by Schacht, *Origins*, 207.

Egypt between 40/660 and 60/679, to examine wounds (*ya'muruhu bi-l-naẓar fī l-jirāh*). In other words, Sulaym was to examine the bodily injuries of victims who applied to the court in order to determine, according to the type of wound, the amount of *diya* due for it. Then he was to submit his decision to the man in charge of the *dīwān*. Sulaym was the first *qāḍī* who “examined wounds and judged regarding them (*naẓara fī l-jirāh wa-ḥakama fihā*),” the report says. 'Abd al-Raḥmān b. Maysara, on whose authority the report is transmitted, describes how the caliph's instruction was put into practice: When a man was injured, he would come to the *qāḍī* and present his evidence against his attacker. The *qāḍī* would then hand down his decision as to the amount of *diya* that the perpetrator's 'āqila was to pay (*fa-yaktubu l-qāḍī bi-dhālika l-jurḥ qiṣṣatahu 'alā 'āqilat al-jāriḥ*) and submit it to the man in charge of the *dīwān*. When the time came for the payment of the stipends, the man in charge of the *dīwān* would deduct from the stipends of the attacker's kinsfolk (*ashīra*) their debt to the victim in installments over the course of three years.

The extent to which this new practice was implemented throughout the Muslim empire varied. In the year 64/683 in Baṣra, following a series of clashes between Tamīm on one side, and Bakr b. Wā'il and Azd on the other, an amicable agreement (*ṣulḥ*) between the two sides was reached, thanks to the efforts of two arbitrators from Quraysh.⁹ Once the amount of *diya* that Tamīm would pay to Azd and to Bakr was agreed upon, al-Aḥnaf, Tamīm's leader,¹⁰ asked for and received Azd and Bakr's consent that the *diya* be paid out of their stipends.¹¹ However, they demanded that a man from Tamīm assume responsibility for the payment. A suitable man was found, and he arranged the payment from the stipends.¹²

The picture that emerges from this event in Baṣra is very different from the one that Abū Maysara's evidence from Egypt (as reported by al-Kindī) suggests. Here the government, with its representatives

⁹ Jarīr and al-Farazdaq, *Naqā'id*, 2:738–39. I thank Patricia Crone for this reference and for her assistance in making sense of the text.

¹⁰ On whom see: *EP*, art. “al-Aḥnaf” (Pellat), 1:303.

¹¹ Jarīr and al-Farazdaq, *Naqā'id*, 2:740.14–16. Their consent was needed probably because paying from the stipends usually meant postponing the payment until their annual distribution (cf. Sarakhsi, *Mabsūt*, 27:129.1), although in this particular case it was ultimately paid without delay.

¹² Jarīr and al-Farazdaq, *Naqā'id*, 2:740–42. (For reasons that should not concern us here, he eventually paid the *diya* for every victim in the clashes, not only those included in the agreement).

and administration, is absent. Instead, tribal leaders, arbitrators and coalitions have full power, and the course of events (only the gist of which is presented here) generally reflects a customary tribal system. However, according to both accounts—the Baṣran and the Egyptian—the *diya* is paid out of the stipends. Admittedly, in the Baṣran case this method of payment was optional, based upon an agreement between the two sides rather than a policy maintained and enforced by the state bureaucracy, as in Egypt. And there are further, significant differences. Yet it is clear that in both Egypt and Baṣra this method of payment was known, available, and applied in the early Umayyad period.

Under ‘Abd al-Malik (r. 65–86/685–705), a change in the nature of the Umayyad army took place, as it became more professional and more clearly distinguished from the society around it. Active warriors continued to receive stipends, but the regular distribution of military stipends to every member of society ceased, while the Arabs turned to civilian professions for a living.¹³ Despite this change, however, the practice of paying *diya* out of the stipends continued.

In the year 99/717, a man in Egypt was heading for a horse-training field (*miḍmār*) with his horse when the horse knocked a woman down and killed her. The man, a *mawlā*, was not registered in the *dīwān*. It was therefore the obligation of his *mawālī*, i.e., his patron and the latter’s *‘āqila*, to pay the *diya* for the homicide, but they refused to do so.¹⁴ The *qāḍī* of Egypt, ‘Iyāḍ b. ‘Ubaydallāh al-Azdī, then wrote a letter to the caliph, ‘Umar b. ‘Abd al-‘Aziz (r. 99–101/717–20), consulting with him for a solution to the problem. “His *mawālī* refuse to pay the *diya* on his behalf, and he is not the recipient of a stipend (*fa-abā mawālīhi an ya‘qilū ‘anhu wa-laysa ya’khudhu l-‘atā*),” the *qāḍī* informed the caliph, and reminded him of the policy that ought to guide his decision: “You should not allow a *diya* payment for a Muslim to be neglected under you.” In line with this advice, the caliph instructed the *qāḍī* to pay the *diya* himself (presumably out of the treasury) and then to collect it from the stubborn *mawālī*.¹⁵

¹³ Crone, “The Early Islamic World,” 315–16. For this change in Kūfa and Baṣra, see Kennedy, *The Armies of the Caliphs*, 18, 38f.

¹⁴ In Ḥanafī law the payment of *diya* on behalf of a *mawlā* was an obligation for his patron and the latter’s *‘āqila* (Crone, *Roman, Provincial and Islamic law*, 39; eadem, art. “Mawlā,” *EP*, 5:876a, 882a; Kāsānī, *Badā’i’ al-ṣanā’i’*, 10:315).

¹⁵ Kindī, *Qudāt*, 333–34; cited by Crone, “Mawlā,” *EP*, 5:876a; for a shorter version, see Ibn Ḥajar, *Raf‘ al-iṣr*, 2:254.

By remarking that the man did not receive a stipend, the *qāḍī* implied that if he had been registered in the *dīwān* and the recipient of a stipend, the problem would not have arisen, for then it would have been possible to enforce the payment by deducting it from the stipends of those registered in his *dīwān*.¹⁶ Thus in Egypt (and probably in other locations) at the end of the first century AH, the payment of *diya* by deduction from the stipends was a means by which the Umayyads supervised these payments and enforced them on those registered in the *dīwān*.

II

It was against this historical background that the legal opinion of what I will call here the innovation of the *dīwān*—namely, that the *diya* is to be paid out of the stipends of members of the perpetrator's *dīwān*, who are not necessarily his fellow-tribesmen—developed in some legal circles. This opinion, or variants of it, circulated in Kūfa even before Ḥanafī law as we know it came into being. It was adopted already in the circle of Ḥammād b. Abī Sulaymān (d. 120/737), which was later headed by Abū Ḥanīfa (d. 150/767), and probably even earlier, in the generation before Ḥammād, as an examination of relevant *ḥadīth* suggests (see below). Outside the Ḥanafī or proto-Ḥanafī circle, it was held in Kūfa by the traditionists Sufyān al-Thawrī (d. 161/777) and al-Ḥasan b. Šāliḥ b. Ḥayy (d. 167/783).¹⁷ Beyond Kūfa, this opinion was known to (and opposed by) 'Uthmān al-Battī (d. 143/760) from Baṣra, and endorsed by the leading scholar of Egypt, al-Layth b. Sa'd (d. 174/790), according to whom "the payment of *diya* is the obligation of the killer and of those who receive stipends with him (i.e., who are registered in the same *dīwān*); his fellow-tribesmen (*qawmuḥu*) are not obliged to pay any of it."¹⁸ The view that the *diya* must be paid out of the stipends is also ascribed to Mālik.

One way in which the Ḥanafīs justified the *dīwān* innovation was to ascribe it to 'Umar b. al-Khaṭṭāb. 'Umar is said to have introduced it

¹⁶ Al-Sarakhsī, in a section on the imprisonment of debtors, indicates that 'āqila members who pay *diya* out of their stipends are never imprisoned; since the *diya* can be deducted from their stipends even against their will, they never fail to pay (*Mabsūt*, 20:91; I owe this reference to the Jerusalem Prosopography Project).

¹⁷ Jaṣṣāṣ, *Mukhtaṣar Ikhtilāf al-'ulamā'*, 5:100–1; idem, *Aḥkām al-Qur'ān*, 2:274.

¹⁸ Jaṣṣāṣ, *Mukhtaṣar Ikhtilāf al-'ulamā'*, 5:100–1; idem, *Aḥkām al-Qur'ān*, 2:274.

in the presence of the Prophet's Companions, and since none of them objected, it received the authorization of *ijmā'*.¹⁹ ('Umar is credited, in fact, with the initiation of further rules related to the *'āqila*. The very principle that the *'āqila*, rather than the perpetrator alone, is liable for the *diya* payment, and the exclusion from the *'āqila* of women and children who receive stipends are also ascribed to him.²⁰) The ascription of the *dīwān* innovation to 'Umar is substantiated by reference to *ḥadīths*, usually on the authority of the Kūfan Successor Ibrāhīm al-Nakha'ī (d. 97/715), as in the following *ḥadīth*.

This *ḥadīth* is transmitted by two *isnāds*, whose oldest links are: Ash'ath (b. Sawwār, d. 136/753)—al-Sha'bī (d. 110/728); and al-Ḥakam (b. 'Utayba, d. 115/733)—Ibrāhīm (al-Nakha'ī):

The first who prescribed (*faraḍa*) the [payment of] stipends (*'aṭā*) was 'Umar b. al-Khaṭṭāb, and he prescribed that the *diya* is to be paid from them. Full [*diya* is to be paid] within three years, two thirds of a *diya* within two years, half [a *diya* also] within two years, the third [of a *diya*] within a year, and any smaller fraction [is to be paid] within the year of the accident (*wa-mā dūna dhālika fī 'āmihi*).²¹

But in a variation of this *ḥadīth*, also transmitted on the authority of Ibrāhīm, which appears in both the *Kitāb al-Aṣl* and the *Kitāb al-Āthār* of al-Shaybānī (d. 187/803), 'Umar is not mentioned:

Abū Ḥanīfa—Ḥammād (b. Abī Sulaymān)—Ibrāhīm (al-Nakha'ī): The *'āqila*, (i.e.,) the *ahl al-dīwān*, pay the *diya* for accidental and quasi-intentional homicide within three years, one third each year. And [the *diya* due for] accidental injuries is [also] the obligation of the *'āqila*, (i.e.,) the *ahl al-dīwān*. It is due within two years if [the payment due for] the injury amounts to two thirds of a [full] *diya*, [also] in two years if it amounts to half a *diya*, and if it amounts to one third [of a full *diya*] it is to be paid within one year. All this is to be paid by the *ahl al-dīwān*.²²

¹⁹ Sarakhsī, *Mabsūt*, 27:126; Kāsānī, *Badā'i' al-ṣanā'i'*, 10:314–15. In Jaṣṣāṣ, *Aḥkām al-Qur'ān*, 2:274, the innovation is said to be based on a broader consensus, that of the *salaf* and the *fuqahā' al-amṣār*.

²⁰ Kāsānī, *Badā'i' al-ṣanā'i'*, 10:313–14, and Marghīnānī, *Hidāya*, 4:1715, respectively.

²¹ Ibn Abī Shayba, *Muṣannaf*, 5:406, no. 27438; for variants see 'Abd al-Razzāq, *Muṣannaf*, 9:296, no. 18178; Jaṣṣāṣ, *Aḥkām al-Qur'ān*, 2:274; 'Aynī, *Bināya*, 13:365. According to some Ḥanafī authors, Ibrāhīm transmitted another *ḥadīth* attributing the innovation to 'Umar (Qudūri, *Tajrīd*, 11:5747, no. 27539; Samarqandī, *Tuhfat al-fuqahā'*, 3:186; Kāsānī, *Badā'i' al-ṣanā'i'*, 10:314), but this other *ḥadīth*, whose full *isnād* is not given, seems no more than a wrongly-attributed paraphrase of the anonymous report that opens the chapter on blood money in Shaybānī, *Aṣl*, 4:658–59.

²² Shaybānī, *Aṣl*, 4:660; *Āthār*, 100 (where a few words of the text are distorted).

In the first *ḥadīth*, then, Ibrāhīm ascribes the *dīwān* innovation to 'Umar, whereas in the latter variation, preserved in al-Shyabānī's works, the authority for the innovation is Ibrāhīm himself. 'Umar's absence stands out in another, short *ḥadīth*, which al-Mughīra (b. Miqṣam, d. 133/750) transmits from Ibrāhīm al-Nakha'ī, who states: "The *diya* is to be paid by the *ahl al-dīwān* (*al-'aql 'alā ahl al-dīwān*)."²³

Ibrāhīm al-Nakha'ī was considered the main authority of the Kūfans until, as Schacht asserts, his authority was felt to be insufficient, at which point opinions previously ascribed to him were projected back to a Companion. In this way Ibrāhīm was transformed into a transmitter from a Companion of opinions for which he himself had previously been the oldest authority.²⁴ This is an example of Schacht's back projection theory, which led him to conclude that whenever traditions from Companions or the Prophet are to be found together with opinions of Successors about a given doctrine, the latter are, generally speaking, the starting point, while the former is a secondary development meant to strengthen the doctrine in question by ascribing it to a higher authority.²⁵ According to this theory, the first of the three *ḥadīths* presented above, in which the *dīwān* innovation is ascribed to 'Umar, is a later development intended to provide higher authority for the innovation, which originally came under the name of Ibrāhīm, before the need had arisen to invoke the authority of 'Umar.

Whether Ibrāhīm actually expressed the opinion that appears in the *ḥadīth*, or whether this opinion was merely ascribed to him after his lifetime, is impossible to know. But in light of the historical evidence presented above—which leaves no doubt that by Ibrāhīm's time, i.e., the second half of the first/seventh century, the Umayyad practice that gave rise to this opinion was well-known and followed—the *ḥadīth* could very well have originated in his generation. If indeed this was the case, then we may conclude that it took the Umayyad practice no more than a few decades, and perhaps much less, to gain the scholars' approval. There remains the question, dealt with below, to what extent the *dīwān* innovation corresponds to the Umayyad practice from which it arose.

²³ Ibn Abī Shayba, *Muṣannaf*, 5:396, no. 27323.

²⁴ Schacht, *Origins*, 31f., 234.

²⁵ *Ibid.*, 156–57, and also 33.

III

One of the changes introduced by the Ḥanafis (and Shāfi'is) in their rulings connected with the *'āqila* was to limit the share of each member of the *'āqila* in each *diyya* payment. The limit established by the Ḥanafis is either three or four dirhams, to be paid in three, usually annual, installments.²⁶ With each individual paying such a small amount, a very large *'āqila*, consisting of thousands of men, is required to pay a full *diyya* (which is 10,000 dirhams in Ḥanafī law). The need for such a large *'āqila* is to be met by supplementing the original *'āqila* with another group or groups, thus forming an extended, *ad hoc* *'āqila* of the desired size.

It is only in these circumstances that the *nasab* (genealogy) of those registered in the *dīwān* is to be considered: the group or groups that supplement the *'āqila* are the ones closest to it in lineage.²⁷ This solution applies, however, only to an *'āqila* whose members, or at least most of them, claim to be of common lineage, for only then can it be determined which other group is closest to it. Al-Shaybānī, followed by later Ḥanafis, also considers the possibility of an *'āqila* whose members are not of the same lineage: If men (*qawm*) of Khurāsān who are registered in one *dīwān* are of diverse origins (*ansāb*), "some of them *mawālī*, some Arabs, and others not [even] *mawālī*," and if it is too small to pay the *diyya*, then the supplementary *'āqila* would not be the group closest to it in lineage, but whomever the *imām* designates for this purpose from among the men of the *dīwān*.²⁸ Al-Shaybānī's example of Khurāsān is part of a discussion intended to illustrate one aspect of the *dīwān* innovation: the units of the *dīwān* cut across kin-

²⁶ Kāsānī, *Badā'ī al-ṣanā'ī*, 10:315–16. How to decide between the two amounts (three and four dirhams) in a given case is not stated, and a few jurists indicate only one of the two (four dirhams according to Qudūrī, *Tajrīd*, 11:5753, no. 27576; three according to Bukhārī, *Khulāṣat al-fatāwā*, 4:247). The maximum for the Shāfi'is is a quarter or a half dinar (Shāfi'ī, *Umm*, 6:151), although they are not unanimous on this (Māwardī, *al-Hāwī l-kabīr*, 12:354–55; Shāshī, *Hilyat al-'ulamā'*, 7:598). This is also one of the opinions ascribed to Ibn Ḥanbal; the other is that there is no maximum (Ibn Qudāma, *Mughnī*, 12:45). The Mālikīs likewise set no limit (Ibn Rushd, *Bidāyat al-mujtahid*, 4:1680).

²⁷ Some Ḥanafis specify that the group added to the *'āqila* according to its *nasab* must also be from among those registered in the *dīwān* (Shaybānī, *Aṣl*, 4:663–64; Jaṣṣāṣ, *Aḥkām al-Qur'ān*, 2:274; idem, *Mukhtaṣar Ikhtilāf al-'ulamā'*, 5:100; Sarakhsī, *Mabsūṭ*, 27:129).

²⁸ Shaybānī, *Aṣl*, 4:666–67.

ship boundaries, and the obligation to pay *diya* on behalf of the men of one's *dīwān*—even when these are of varied origins—supersedes the obligation based on shared lineage.

The Ḥanafīs further focus on kinship when they contrast the 'āqila of the *dīwān* with the one it came to replace. "When the *dīwāns* came into being," al-Shaybānī says, "it was the men of the *dīwān* who provided each other's support (*nuṣra*), not kinsmen...therefore it (i.e., the *diya* payment) falls on the men of the *dīwān*, not on kinsmen."²⁹ Al-Jaṣṣāṣ (d. 370/980) stresses the same contrast: The payment of *diya* on a person's behalf is the obligation of the men registered in his *dīwān*, not of his relatives (*awjabahā aṣḥābunā 'alā ahl dīwānihi dūna aqribā'ihī*).³⁰ So severely were loyalties based on blood ties affected by obligations to the *dīwān*, that a man would fight against his own tribal group in defense of the men of his *dīwān*, according to al-Sarakhsī (d. 483/1090), who offers historical examples from the battles of the Camel and Ṣiffin.³¹

Furthermore, since each location had its *dīwān*, the lines of 'āqilas based on kinship might also be crossed by administrative and regional divisions. Al-Shaybānī maintains that even people who were originally obliged to pay *diya* on behalf of each other by virtue of common descent are generally no longer obliged to do so if they do not live in the same city. "[T]he residents of Baṣra should not pay *diya* on behalf of the residents of Kūfa, and the residents of Syria should not pay *diya* on behalf of the residents of Kūfa, for their 'āqilas are in the *dīwān*, and the(ir) *dīwāns* are different (from each other)."³² Shaybānī makes it as clear as possible that the administrative division cancels the obligation to pay *diya* that is inherent in kinship: two full brothers, one of them registered in the *dīwān* of Kūfa and the other in that of Baṣra shall not pay the *diya* for each other; instead, *diya* imposed upon them is paid by their respective *dīwāns*.³³

²⁹ Shaybānī, *Aṣl*, 4:662. The same distinction between the men of one's *dīwān* and one's kinsmen is made by al-Shaybānī's contemporary al-Layth b. Sa'd (p. 225 above).

³⁰ Jaṣṣāṣ, *Ahkām al-Qur'ān*, 2:273.

³¹ Sarakhsī, *Mabsūṭ*, 27:126, and see also Qudūrī, *Tajrīd*, 11:5747–48, no. 27545.

³² Shaybānī, *Aṣl*, 4:666. See also Sarakhsī, *Mabsūṭ*, 27:132 and Marghīnānī, *Hidāya*, 4:1715. An exception is a man who is registered in the *dīwān* of one city but happens to live in another. A *diya* payment that he owes must be paid by residents of the former city (Shaybānī, *Aṣl*, 4:666).

³³ Shaybānī, *Aṣl*, 4:666; Zayla'ī, *Tabyīn al-ḥaqā'iq*, 7:371.

IV

It emerges from all this that the Ḥanafī rules relating to the *‘āqila* and the *dīwān* involved two connected but different major innovations. One is a change in the way in which the *diyya* is paid, i.e., by deduction, supervised by the authorities, out of the stipends to which the members of the *‘āqila* are entitled, instead of their paying it from money they already own, probably without any interference from the authorities. The other innovation is a change in the composition of the *‘āqila*, so that it is no longer based on kinship and may include men of various origins.

Only the first of these two innovations corresponds to the Umayyad practice attested in the evidence presented above. According to the evidence about both Egypt and Baṣra, the *diyya* was deducted from stipends, but the stipends continued to be those of a person's kinsfolk. Here there is no hint of a change either in the *‘āqila*'s composition or in the criterion that determined it, i.e., common *dīwān* rather than common descent. The same holds true for a report of an event in the year 126/743. A man called Ṭufayl b. Ḥāritha al-Kalbī had a *diyya* imposed on him. Yazīd b. al-Walīd (soon to be Yazīd III) asked his brother, al-‘Abbās, to intercede for Ṭufayl with Marwān b. Muḥammad, the Umayyad governor (and afterward the last Umayyad caliph), so that Marwān would allow Ṭufayl to ask his kinsfolk (*‘ashīra*)—not those registered in his *dīwān*—to pay the *diyya* imposed upon him out of their stipends.³⁴

It may be that the historical evidence reveals no change in the composition of the *‘āqila* because registration in the *dīwān* retained tribal divisions,³⁵ so that in practice a man's *dīwān* unit, which served as his *‘āqila*, remained the same as his tribal unit. Yet this is incompatible with the picture gleaned from Ḥanafī works, which describe a considerable change in the *‘āqila*'s composition.³⁶ If the limited historical evidence presented above does represent the Umayyad practice, then

³⁴ Tabarī, *Ta'rikh*, 2:1851 (I owe this reference to Patricia Crone).

³⁵ *EP*, art. "Dīwān (i.-The Caliphate)" (Duri), 2:323b; Crone, *Slaves on Horses*, 30–31; Kennedy, *The Armies of the Caliphs*, 61.

³⁶ A milder picture emerges from *Tajrīd*, 11:5747, no. 27541, where al-Qudūrī insists on the difference in composition between the *‘āqila* of the *dīwān* and the *‘āqila* of kinsmen, but also admits that these two overlap.

the Ḥanafī rules relating to the *dīwān* innovation reflect this practice only in part; in part these rules go beyond it.

Two of the facts mentioned above are connected to this point. The first is the limit on the amount paid by each individual (three or four dirhams) that the Ḥanafīs established, resulting in a very large 'āqila. The second is the rule, laid down by al-Shaybānī, that the heterogeneous 'āqila is enlarged, when needed, according to a decision of the *imām*.³⁷ Later Ḥanafīs extended this rule. According to al-Marghinānī, it applies not only to a heterogeneous 'āqila but to all the 'āqilas of the *dīwān*, irrespective of their composition. He explains the principle that guides the *imām* in such cases: if the 'āqila is too small to pay the *diya*, then he adds to it the military unit closest to it (*aqrab al-rāyāt*), that is, the first to be called upon when a misfortune befalls the primary 'āqila. It is for the *imām* to decide which unit to add, because he is the one who knows the order of the units.³⁸ It is hard to imagine a sense of solidarity or obligation for mutual assistance, out of which *diya* was previously paid, existing in an 'āqila of thousands of men, many of whom have no blood ties (genuine or fictitious) with one another, and many of whom have been added to this 'āqila in an *ad hoc* manner, according to a decision of the *imām* based on considerations known only to him. It seems that the Ḥanafī jurists, or some of them, tried to legitimize a transformation of the *diya* from a payment based on solidarity or mutual obligation among kinsmen into a compulsory payment imposed by the government on a (much larger) group that the government picks of its own accord. Additional historical evidence is needed to determine the extent to which such a transformation occurred in practice.

V

On the theoretical level at least, this change in the 'āqila's structure was a drastic one, and it was justified by an alleged shift of the *tanāṣur* (or *nuṣra*), the assistance that members of a group provide each other against external enemies or in case of other misfortunes. In pre-Islamic and early Islamic times, a person's source of *tanāṣur* was his tribal

³⁷ See p. 228.

³⁸ Marghinānī, *Hidāya*, 4:1713, followed by Zayla'ī, *Tabyīn al-ḥaqā'iq*, 7:367, and preceded by Sarakhsī, *Mabsūṭ*, 27:132.

group (*‘ashīra* or *qabīla*), but under ‘Umar this was transferred to the *dīwān*. It was now a man’s military unit, not his tribal group, that defended him against enemies. Since liability for payment of *diya* is part of *tanāṣur* (*al-‘aql tābī‘ li-l-nuṣra*), this liability, like *tanāṣur*, also resided with members of one’s *dīwān* rather than with one’s fellow tribesmen.³⁹

The claim that the liability of the old *‘āqila* based on common descent and the new *‘āqila* based on common *dīwān* both arise from the same principle—namely, that the *diya* on one’s behalf must be paid by one’s group of *tanāṣur*—had a polemical use. It helped the Ḥanafīs to present the innovation as not entirely novel, and to rebut the Shāfi‘īs’ accusation that it amounted to *naskh*, abrogation of the Prophet’s Sunna. ‘Umar, the Ḥanafīs could argue against the Shāfi‘īs, did not deviate from the Prophet’s way, but rather the contrary: he continued to follow the Prophet’s way by applying its underlying principle to the group that now provides one’s *tanāṣur*, i.e., the *dīwān* unit.⁴⁰ The Companions would never have approved of ‘Umar’s innovation had they not recognized that it rested on the old principle of *tanāṣur*, which ‘Umar merely adapted to new circumstances, al-Kāsānī (d. 587/1191) argues. (He links together the two Ḥanafī arguments that serve to support the *dīwān* innovation, namely ‘Umar’s authority and the shift in *tanāṣur*.)⁴¹

The argument that liability for a man’s *diya* payment devolves upon the group that provides him with *tanāṣur* and, more important, that this group may change according to circumstances, which the Ḥanafīs advanced in order to legitimize the *‘āqila* of the *dīwān*, continued to serve in claims for other kinds of *‘āqila*. Such a claim appeared in eastern Iran about a century after Ḥanafī works started to circulate there. The *‘āqila* as presented in these works seems to have caused unease, so that it met with opposition in Balkh, the earliest Ḥanafī center in Khurāsān and Transoxania.⁴² Two alternative opinions were developed

³⁹ Shaybānī, *Aṣl*, 4:662; Jaṣṣāṣ, *Aḥkām al-Qur’ān*, 2:275; Samarqandī, *Tuḥfat al-fuḡahā*, 3:186.

⁴⁰ Marghinānī, *Hidāya*, 4:1711–12; Zayla‘ī, *Tabyīn al-ḥaqā’iq*, 7:365–66.

⁴¹ Kāsānī, *Badā’i’ al-ṣanā’i’*, 10:314–15; see also Sarakhsī, *Mabsūt*, 27:126; Ibn ‘Ābidīn, *Radd al-muḥtār*, 10:325.

⁴² For the early spread of Ḥanafism in eastern Iran, with Balkh at its center, see Madelung, “The Early Murji’a.”

there.⁴³ According to the dominant one, the 'āqila of the 'Ajam (Persians), and *tanāṣur* among them, rest neither on common *dīwān* nor on common descent, but rather on other common characteristics such as occupation, "such as the shoemakers and coppersmiths in Marw, [or] the street of the timber merchants (*darb al-khashshābīn*) [there?], and likewise in Azerbaijan,"⁴⁴ or in another formulation, "the shoemakers in Marw, or the coppersmiths in Kalābādh (Bukhārā), or the saddlers in Samarqand."⁴⁵ The list of examples goes beyond the crafts to include the group of scholars (*ṭalabat al-'ilm*).⁴⁶ This view can be traced back to the Balkhī scholar Muḥammad b. Salama (d. 278/891),⁴⁷ i.e., to a few decades after Abū Sulaymān al-Juzjānī (d. 201/816), Muḥammad b. Salama's teacher, transmitted al-Shaybānī's works in Khurāsān.⁴⁸ It later reached beyond Balkh and was endorsed by 'Abd al-'Azīz b. Aḥmad al-Ḥalwānī (d. 456/1063 or a few years earlier), the head of the Ḥanafīs in Bukhārā, who seems to have brought this view to the fore.⁴⁹ The argument in support of this opinion focused on *tanāṣur*: among the 'Ajam, a man's source of *tanāṣur* was his professional group, so this group served as his 'āqila.⁵⁰

⁴³ al-Mudarris includes both in a list of opinions particular to the Ḥanafīs of Balkh in his *Mashā'ikh Balkh*, 2:690–91.

⁴⁴ Qaḍikhān, *Fatāwā*, 3:448, and also Ibn al-Bazzāz, *Fatāwā*, 6:384. Perhaps *Isbijāb* should be read here instead of *Ādharbayjān*. This example also points to group solidarity based on a common neighborhood (*darb al-khashshābīn*), for which see the following note.

⁴⁵ Quhistānī, *Jāmi' al-rumūz*, 2:365. Alongside examples of 'āqila based on common occupation, reference is often made to an 'āqila composed of men living in the same neighborhood (as for example in Ḥaṣkafī's *al-Durr al-mukhtār*, 2:483: *fa-ahl maḥallat al-qātil wa-ṣan'atihi 'āqilatuhu*). From some sources, such as Qaḍikhān, *Fatāwā*, 3:448, it seems that the latter is just another way of referring to the former, suggesting that men of the same occupation tended to reside or work in the same neighborhood. But other sources clearly list these as two unrelated kinds of 'āqila (Walwālījī, *Fatāwā*, 5:318; 'Aynī, *Bināya*, 13:366).

⁴⁶ Qaḍikhān, *Fatāwā*, 448; Quhistānī, *Jāmi' al-rumūz*, 2:365–66.

⁴⁷ Quhistānī, *Jāmi' al-rumūz*, 2:366; 'Alī al-Qārī, *Sharḥ al-Nuqāya*, 3:398.

⁴⁸ On al-Juzjānī as the teacher of Muḥammad b. Salama, see Qurashī, *Jawāhīr*, 3:162; Laknawī, *Fawā'id*, 276. For his transmitting al-Shaybānī's works in Khurāsān, see Mudarris, *Mashā'ikh Balkh*, 1:158; Madelung, "The Early Murji'a," 38 (both relying on the Persian translation of Ṣafī al-Dīn al-Balkhī's *Faḍā'il Balkh*, 211).

⁴⁹ Qaḍikhān, *Fatāwā*, 3:448, repeated by Ibn al-Bazzāz, *Fatāwā*, 6:384; Quhistānī, *Jāmi' al-rumūz*, 2:366. For al-Ḥalwānī's status in Bukhārā, see Qurashī, *Jawāhīr*, 2:429.

⁵⁰ Qaḍikhān, *Fatāwā*, 3:448. At some point this opinion was expanded to make allowance for any solidarity group among the 'Ajam, based on any common denominator whatsoever, to serve as an 'āqila: *wa-l-mu'tabar fī l-'Ajam ahl al-nuṣra sawā'*

The locations of craft groups just mentioned clearly point to eastern Iran as the area where this opinion first circulated.⁵¹ It has been generally assumed that by the time of Muḥammad b. Salama, more or less organized groups of merchants and craftsmen had come into existence in the cities of Iran and Central Asia, as in the rest of the Muslim world.⁵² But the evidence for this assumption, and for the nature and history of these groups before the eighth/fourteenth century, is meager.⁵³ It is therefore not clear to what extent the argument raised in Balkh, to the effect that *tanāṣur* existed among men of the same occupation, reflects historical reality. Even if tribal affiliation was less emphasized in Persian cities, and the sense of affiliation with professional groups was stronger there than among Arab Muslims,⁵⁴ did this sense of affiliation amount to *tanāṣur*? Scholars who assume that it did, seem to rely only on the evidence about the *‘āqila* existing in Ḥanafī sources (which is presented above),⁵⁵ but the very same sources that contain this evidence also document a dispute among Persian Ḥanafī scholars over this question, as we shall see below.

The second view that developed in Balkh diverged more significantly from the Ḥanafī *dīwān* innovation. It was followed in the generations immediately after Muḥammad b. Salama by his student

kānat bi-l-ḥirfa aw ghayrihā (Ṣadr al-Sharīʿa, *Mukhtaṣar al-Wiqāya*, 2:404); and *fa-l-‘āqila fī zamāninā man tanāṣarū fī l-ḥawādith* (Quhistānī, *Jāmiʿ al-rumūz*, 2:366).

⁵¹ Even in works that reflect a later development of this opinion, when it was no longer limited to Persians, the examples remain from Persian towns: “[I]f his (the perpetrator’s) *nuṣra* is based on occupation, [the payment of *diya*] falls on the craftsmen who provide him *nuṣra*, such as the fullers and the coppersmiths in Samarqand or the shoemakers in Isbijāb” (Walwālījī, *Fatāwā*, 5:318; Ḥaddād, *al-Jawhara l-Nayyira*, 2:371).

⁵² Von Kremer, *Culturgeschichte des Orients*, 2:187, followed by Lewis, “The Islamic Guilds,” 21; Cahen, “Tribes,” 323ff; Stern, “The Constitution of the Islamic City,” 44–45.

⁵³ The theory that Islamic guilds existed already in the third/ninth and fourth/tenth centuries, advanced by Massignon (*EF*, art. “*Ṣinf*,” 4:436) and developed by Lewis (“The Islamic Guilds”), was vehemently criticized by other scholars on the basis of lack of evidence (Stern, “The Constitution of the Islamic City,” 37–43; Cahen, “Corporations Professionnelles”; Floor, “The Guilds in Iran,” 103; idem, art. “*Ṣinf*,” *EF*, 9:645b). Floor dates the first signs of guilds to the late Middle Ages (“The Guilds in Iran,” 104).

⁵⁴ According to Cahen, whereas Arab Muslims registered, together with their name, the genealogy that indicated their family and tribe, Iranian Muslims tended to indicate their profession instead (“Tribes,” 325).

⁵⁵ See page 233 above, on shoemakers and coppersmiths. See Cahen, “Tribes,” 325; idem, “Corporations Professionnelles,” 59, followed by Floor in “The Guilds in Iran,” 104.

Abū Bakr al-Iskāf (d. 336/947) and by the latter's student Abū Ja'far al-Hinduwānī (d. 362/972), both prominent scholars in the town.⁵⁶ Unlike the Arabs, they argued, the 'Ājam have no 'āqila at all, for they have forgotten their lineage, there is no *tanāsur* among them, and they do not have a *dīwān*.⁵⁷ "Loading one person with the burden resulting from another's crime is a custom rather than [a rule arising from] legal reasoning (*wa-taḥammul al-jināya 'alā l-ghayr 'urf bi-khilāf al-qiyās*)," the followers of this view correctly maintained, hinting that the Arabs had yielded to a custom that went against the Islamic principle of individual responsibility.⁵⁸ The Persians do not share this custom; it applies only to the Arabs, who remember their genealogies. (Whether the *diya* imposed upon a man with no 'āqila is to be paid by himself or by the treasury is, again, in dispute⁵⁹). This opinion spread from Balkh to elsewhere in eastern Iran. It was supported in the sixth/twelfth century by al-Ḥasan b. 'Alī, Ṣahīr al-Dīn al-Marghinānī, a member of a famous family of scholars from Farghāna,⁶⁰ who argued that "what counts is *tanāsur*; the collectiv[ities] of the shoemakers, the scholars and so on are not for the purpose of providing *tanāsur*"; therefore, they are not liable for the *diya* payment on behalf of one other (*al-'ibra bi-l-tanāsur*

⁵⁶ For Abū Bakr al-Iskāf, see Qurashī, *Jawāhir*, 3:76, 4:15; Laknawī, *Fawā'id*, 263. For Abū Ja'far al-Hinduwānī, see Qurashī, *Jawāhir*, 3:192; Laknawī, *Fawā'id*, 295. According to the two last-cited sources, al-Hinduwānī was not a student of Abū Bakr al-Iskāf, but of the latter's student, Abū Bakr al-A'mash. For their biographies based on additional sources, see Mudarris, *Mashā'ikh Balkh*, 1:161–62. According to Quhistānī (*Jāmi' al-rumūz*, 2:366) and 'Alī al-Qārī (*Sharḥ al-Nuqāya*, 3:398), this view was also held by Abū al-Layth (probably Abū al-Layth al-Samarqandī [d. 373/983], who was a student of al-Hinduwānī).

⁵⁷ Qaḍikhān, *Fatāwā*, 3:448; Quhistānī, *Jāmi' al-rumūz*, 2:366. These arguments are not meant to reflect reality but rather to negate the two kinds of 'āqila recognized by Ḥanafī law. The first argument ignores the solution of *walā'*, which came to substitute for tribal affiliation based on agnatic ties and covered the obligation of *diya* payment (*EP*, art. "Mawlā" [Crone]), 6:876a, 882); the last argument, that the 'Ājam have no *dīwān*, reflects only the early Umayyad period, before non-Arabs formed their own units in the Marwānid army (Crone, *Slaves on Horses*, 37–38). In any event, in the fourth/tenth century, when these arguments were raised, both had long become irrelevant.

⁵⁸ Qaḍikhān, *Fatāwā*, 3:448, quoted in Ibn 'Ābidīn's *Radd al-muḥtār*, 10:333. For abridged versions, see Bukhārī, *Khulāṣat al-fatāwā*, 4:247; 'Alī al-Qārī, *Sharḥ al-Nuqāya*, 3:398.

⁵⁹ The former opinion, that he pays it himself, is ascribed to Abū Ḥanifa, and the latter opinion, that it is to be paid by the treasury, is ascribed to al-Shaybānī (Ṭahāwī, *Mukhtaṣar*, 233; Kāsānī, *Badā'ī' al-ṣanā'i'*, 10:315).

⁶⁰ For his biography, see Qurashī, *Jawāhir*, 2:74; Laknawī, *Fawā'id*, 107.

fa-ijtimā' al-asākifa wa-ṭalabat al-'ilm wa-naḥwihim lā yakūnu li-l-tanāsur fa-lā yalzamuhum al-taḥammul 'an ghayrihim).⁶¹

Of the two views that emerged in Balkh, the one just discussed survived marginally,⁶² while the other view—that among the Persians a professional group serves as an *'āqila*—became more widespread and left its mark on Ḥanafī law. Variations that developed from it were included in Ḥanafī works in Iran and elsewhere. In its most common variation, the view that had originally come into being in order to accommodate the Persians was no longer limited to any ethnic group. It now applied to everyone affiliated with a professional group, provided that *tanāsur* existed among its members: *'āqilat ahl kull šinā'a ahl šinā'atihi idhā kānū yatanāšarūna*.⁶³

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⁶¹ Qaḍikhān, *Fatāwā*, 3:448.

⁶² Ifṭikhār al-Dīn al-Bukhārī (d. 542/1147), a student of Ṭāhir al-Dīn al-Marghīnānī, documents it in his *Khulāṣat al-fatāwā*, 4:247, while omitting the other Balkhī view; Timirtāshī (d. 1004/1595) accepts it (*Tanwīr al-abṣār*, 219); and Quhistānī (d. 962/1554) admits that while some Persians belong to a group that provides them with *nuṣra*, others do not, and in fact have no *'āqila* at all (*Jāmi' al-rumūz*, 2:365).

⁶³ Qaḍikhān, *Fatāwā*, 3:448. See also Marghīnānī, *Hidāya*, 4:1712, repeated in Zaylā'i, *Tabyīn al-ḥaqā'iq*, 7:366; Walwālījī, *Fatāwā*, 5:318; Mawṣilī, *Ikhtiyār*, 1:60; Ḥaddād, *al-Jawhara l-nayyira*, 2:371; Ḥalabī, *Multaqā l-abḥur*, 319.

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LEGAL DOCTRINES, HISTORICAL CONTEXTS AND MORAL VISIONS: THE CASE OF SECTARIANS IN THE COURTS OF LAW¹

Nimrod Hurvitz

Introduction

The Islamic legal system, like any other legal system, adjusts to political events, evolving social circumstances, and intellectual developments. Therefore, it is hardly surprising that Muslim jurists have referred to traumatic events, such as the civil strife that began during the reign of ‘Uthmān b. ‘Affān (r. 23–35) and reached its climax in a series of battles during the reign of ‘Alī b. Abī Ṭālib (r. 35–40), in their writings. These violent clashes, as well as later theological controversies, tore the community apart and led to the establishment of several Islamic sects, such as the Khawārij, Shī‘a, Qadariyya and Murji‘a, each of which considered its theological vision and political agenda to be the true expression of Islam.² The evolving Islamic mainstream, the proto-Sunnī, reacted to these political and intellectual challenges in a number of ways. Their rulers, the Umayyad and ‘Abbāsid caliphs, suppressed the rebellions of these sects, while the polemics of proto-Sunnī theologians sought to disprove their claims to truth and power, and proto-Sunnī jurists formulated legal doctrines which determined the legal and social status of the sectarians themselves.

From the first century of the Hijra onward, these religio-political sects posed a challenge to Muslim jurists. They had numerous supporters among different segments of society. Large parts of society, whether nomadic tribes or the inhabitants of different city quarters,

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² For a survey of the evolution of these movements see Watt, *The Formative Period of Islamic Thought* and, for a more focused study, Crone, *God’s Rule*. For early texts of the Murji‘a and Qadariyya, see Cook, *Early Muslim Dogma*.

were persuaded to embrace sectarian beliefs and to join their political activities. Furthermore, many scholars sympathized with the sectarians' critique of the early regimes. Some sectarians even attained high positions at the caliphal courts and exerted influence over policy. As their numbers grew and their members attained positions of power and influence, the sectarians became a force to reckon with. The appearance of these new social entities created a new social reality, and gradually Muslim jurists addressed the new configuration by working out a number of legal doctrines that aimed to regulate relations between proto-Sunnīs (and later Sunnīs) and the followers of the various sects. These doctrines sketched the contours of the new social order in legal terms and touched upon such issues as the validity of prayer led by a sectarian *imām*, attending the funeral and praying over a deceased sectarian, and the validity of the testimony of sectarians in courts of law.

This study will concentrate on one of these legal issues, namely, the status of sectarian testimony in the courts of law. In the first part it will examine a number of cases in which *qāḍīs* rejected the testimony of sectarians, which will give us an idea about judicial practice. In the second part it will survey the major doctrinal trends that Muslim jurists articulated over the course of four centuries, while in the third part it will analyze the legal reasoning, religious values and social visions behind these doctrines.

Judicial Practice

In the first centuries of Islam, courts of law constantly developed and changed their procedures.³ One of the constituents of the court system that went through several modifications was testimony.⁴ Elements that were altered throughout the first two centuries included, for example, the criteria that determined who could testify, and the judicial supervi-

³ On the history of Islamic courts of law see Tyan, *Histoire de l'organisation judiciaire en pays d'Islam*. For a shorter but up-to-date review, see Masud, Peters, and Powers, "Qadis and Their Courts."

⁴ On witnesses and testimony, see Tyan, *Histoire de l'organisation judiciaire*; idem, "Judicial Organization," 254–55; Schacht, *Introduction to Islamic Law*; EI2, art. "Shāhid." For in-depth studies of court procedures and testimony, see Vogel, "The Trial of Terrorists Under Islamic Law"; Messick, "Evidence: From Memory to Archive"; and Johansen, "Signs as Evidence."

sion of such matters. It is within the context of these developments that judges addressed the issue of sectarian witnesses.

According to the sources at our disposal, the appearance of sectarians in the courts of law and the view that their testimony posed a legal problem surfaced some time during the second half of the second century of the Hijra. Two accounts of court history, the *Akhbār al-quḍāt* by Wakīʿ (d. 306) and the *Kitāb al-wulāt wa-kitāb al-quḍāt* by al-Kindī (d. 350), the most detailed sources of information on the actual events and decisions that occurred in the courts of law in the first centuries of Islam, make no mention of sectarians before the second century of the Hijra.⁵ When the issue does come up, it is usually confined to a short story about a particular event or a specific opinion of one judge regarding one of the sectarian movements. Since both Wakīʿ and al-Kindī's works are made up of thousands of such discrete anecdotes, and since neither of them puts forth a narrative that brings the anecdotes together and draws an overall picture, it is difficult to determine if these stories about the rejection of the testimony of sectarians are the rule or the exception. On the other hand, the attention sectarians get in these anecdotes indicates that they were a growing concern among jurists.

A detailed and informative description of a judge's decision to reject the testimony of a witness appears in al-Kindī's account of Lahīʿa b. ʿĪsā, who served as judge in Egypt between 199 and 204.⁶ The account of Lahīʿa's judgeship begins a discussion of the court investigator (*sāhib al-masā'il*), i.e., the man responsible for inquiring into the integrity of witnesses. Apparently, Lahīʿa instructed his investigator to inquire about the court's witnesses every six months. In the course of a conversation about Lahīʿa's judgeship, a skeptical discussant asked if Lahīʿa really rejected the testimony of witnesses, and received the reply that it had already happened more than once. It is after this exchange, seemingly by way of providing an example, that the following anecdote is reported.

Abū l-Aswad al-Baṣrī approached ʿUthmān b. Ṣāliḥ and asked him about a well-respected *shaykh* from the people of Baṣra who was called Abū l-Tammām. ʿUthmān described Abū l-Tammām as an agreeable neighbor

⁵ Wakīʿ, *Akhbār al-quḍāt*; al-Kindī, *Kitāb al-wulāt wa-kitāb al-quḍāt*. For a study of Wakīʿ' composition, see Masud, "A Study of Wakīʿ' *Akhbār al-Quḍāt*."

⁶ Kindī, *Akhbār*, 422.

who had excellent relations with people, who fasted and prayed frequently, who made efforts to abide by conventions, and who contributed *zakāt*. However, this Abū l-Tammām was a Qadarī, and Lahī'a rejected his testimony. [As a consequence] he [Lahī'a] was approached by the respected inhabitants of Baṣra... who sang Abū l-Tammām's praises and spoke of his virtues. Lahī'a informed them that all they had told him and more had already come to his attention, but that he abhorred [the thought] that God might see him permitting the testimony of a Qadarī. They arose, never to return.⁷

The attention that Lahī'a b. 'Īsā gave to the individuals who served as witnesses in his court, the efforts made by the *ṣāhib al-mas'āl* to inquire about them, and the biannual investigations that kept the court updated, all attest to the growing importance of this position, both in the court and in society more generally. The social respectability that this position bestows upon its holder, or, on the other hand the disgrace associated with losing it, were probably among the reasons why the "respected inhabitants of Baṣra" approached Lahī'a when they learned that a reputable member of their community was prevented from attaining the position.

One of the most revealing aspects of this anecdote is the way in which Abū l-Tammām's probity was discussed. When the inquiry was made, the issues that came up were his agreeable nature, social skills, and piety. Judging by this conversation, the key to attaining the position of witness was the individual's conformity to norms and his ability to maintain good relations with those around him. However, the story also reveals that at the end of the second century of the Hijra, there were judges for whom all this was not enough. In addition to compliance with social etiquette, they took theological conformity into consideration. Furthermore, as Abū l-Tammām's case illustrates, in the eyes of some judges conformity with correct faith superseded the other qualities that were required of a witness.

One of the most combative judges, who rejected the testimony of a number of sectarians in several instances, was Sharīk b. 'Abdallāh (d. 177).⁸ Being an adamant opponent of the theological innovations in the city of Kūfa, the hotbed of the Murjī'a and Rāfiḍa, he was often

⁷ Ibid.

⁸ On Sharīk's classification as a Ḥanafī, his theological disagreement with Abū Ḥanīfa, and his refusal to allow Murjī'i Ḥanafis to testify in court, see Tsafir, *The History of an Islamic School of Law*, 3, 23.

confronted by sectarian witnesses. His propensity for exercising judicial authority and denying sectarians the right to testify earned him a favorable remark from Ibn Ḥanbal, who said: "He combatted forcefully the spreaders of doubt and the innovators."⁹ Sharīk's reputation as a fighter against theological innovations lasted at least until the twelfth century, when Ibn Qudāma (d. 630), the renowned Ḥanbalī jurist, mentioned in his *Mughnī* that Sharīk refused to allow members of several sects to testify in court.¹⁰

Sharīk receives a great deal of attention from Wakī', who mentions his clashes with sectarians several times. One such anecdote opens with the statement: "Sharīk allowed the testimony of neither the Rāfiḍa nor the Murji'a," after which it tells of a short exchange between Sharīk and a man called Zakariyyā' b. Yaḥyā, in which Sharīk said, "Are you not one of those who say that prayer is not part of faith (*al-īmān*)? . . . Do not testify before me!"¹¹ This anecdote is somewhat exceptional because it begins with a general remark about Sharīk's policy of rejecting the testimony of the Rāfiḍa and Murji'a. The generalization is immediately followed by a more typical story, which tells of a concrete case in which Sharīk rejected the testimony of Zakariyyā' b. Yaḥyā.

Judging by several anecdotes that appear in Wakī's *Akḥbār*, Sharīk consistently confronted and even picked fights with some of the better-known, influential figures of his time. A few pages after his rejection of Zakariyyā's testimony, Sharīk is described as having a sharp exchange with Ḥammād b. Abī Ḥanīfa (d. 176). Apparently after Ḥammād and another individual named Muḥammad b. al-Ṣabbāḥ had testified before Sharīk, the judge rejected their testimony. Muḥammad decided to ignore the matter and turned away. However, Ḥammād b. Abī Ḥanīfa was not so indifferent. He confronted Sharīk and asked him why he rejected his testimony. Sharīk's reply was surprising and quite revealing. He retorted that it was because Ḥammād and his father "used to call upon people to join the *bid'a* (innovation) and to deviate from the *sunna* of the Messenger (PBUH)."¹² Note that whereas Sharīk was questioned about his rejection of Ḥammād's testimony, he referred, in his reply, to Abū Ḥanīfa. Furthermore, Sharīk here accuses Ḥammād and Abū Ḥanīfa of summoning people to "join the *bid'a*". These references

⁹ Dhahabī, *Sīyar*, 8:209.

¹⁰ Ibn Qudāma, *al-Mughnī*, 40.

¹¹ Wakī', *Akḥbār*, 3:162–63.

¹² *Ibid.*, 3:167.

to Abū Ḥanīfa, the well-known eponymous founder of Ḥanafism and a believer in *irjā'* (postponement), and the use of the general term *bid'a* as opposed to a specific sect, suggest that Sharīk was on a crusade against sectarians and did not shy away from clashing with them.

Sharīk's criticism of Abū Ḥanīfa and his disciples came up in another conversation. "He was asked: Do you reject his [Abū Yūsuf's] testimony? He replied: How can I avoid rejecting his testimony, when he [Abū Yūsuf] believes that prayer is not part of *īmān*?"¹³ In this reply Sharīk pointed to the highly-charged theological and political controversy over what constitutes faith.¹⁴ The answer of the Murji'a was that it was solely belief, excluding acts such as prayer. Their opponents replied that faith was made up of belief and deeds, and that accordingly prayer was a required element of faith. Sharīk, who belonged to the latter group, rejected Abū Yūsuf's testimony on the basis of this alleged theological deviation. By singling out this highly-respected scholar who had excellent connections in the caliphal court and who would go on to be the first chief judge (*qāḍī l-quḍāt*), and by discussing why he did not qualify as a witness, Sharīk once again disclosed his politico-theological agenda and the zeal with which he pursued it.

The political and social repercussions of this controversy evolved around the standing of newly-converted Muslims who lived in Eastern Iran and Central Asia, and who were not adroit performers of Islamic ritual. Whereas adherents of the Murji'a, such as Abū Ḥanīfa and Abū Yūsuf, considered them to be Muslims, Sharīk and his ilk did not. This disagreement had far-reaching political repercussions, and would induce several significant revolts against the Umayyads towards the end of their rule.¹⁵ Furthermore, this lenient position was probably an important factor in the spread of Ḥanafism among the Turks.¹⁶

Despite the Ḥanafis' inclusive approach to nominal believers, and in contrast to their evolving legal doctrine that permitted theological deviants to testify in court, they cooperated with the rulers and rejected the testimony of witnesses whom they considered theological deviants

¹³ Ibid., 3:261.

¹⁴ On the interaction between Murji'i tenets of faith and socio-political dynamics, see Madelung, *Religious Trends*, 13–25. For a critical assessment of Murji'i political views, see Cook, *Early Muslim Dogma*, 15–23.

¹⁵ For a survey of these tensions and revolts see Madelung, *Religious Trends*, 13–22.

¹⁶ On the connection between the Murji'a and Ḥanafism, see Madelung, *Religious Trends*, 18–20; Tsafir, *The History of an Islamic School*, 3.

during the *Miḥna* ("inquisition") of 218–234.¹⁷ It should be pointed out that the caliph and his courtiers imposed the *Miḥna* under the influence of Ḥanafī judges. In the year 218, a series of letters from the caliph al-Ma'mūn ordered *qāḍīs* throughout the 'Abbasid empire to interrogate scholars and witnesses in courts of law about their opinion regarding the createdness of the Qur'ān. Following his receipt of a letter from Baghdad, Egypt's governor ordered the judge Hārūn b. 'Abdallāh to interrogate his witnesses about the createdness of the Qur'ān: "Those among them who profess that the Qur'ān is created are upright and their testimony is acceptable, whereas the testimony of those who reject the idea of createdness ought to be rejected and verdicts should not be based upon them."¹⁸ According to al-Kindī, Hārūn b. 'Abdallāh carried out this policy until 226, when he was replaced by Muḥammad b. Abī l-Layth, who continued this policy into the first years of the reign of al-Mutawakkil.¹⁹

Evidence gathered from sources describing court practice suggests that until the middle of the second century, the question of the status of sectarians did not arise. Then, when it did, judges acted according to their own opinions and did not, to the best of our knowledge, rule in compliance with a systematic and well-reasoned legal doctrine. If this reading of the sources is an accurate reflection of the historical process, then we can point to the following historical development: political crises (civil wars) and theological controversies led to the establishment of new religio-political movements (Shi'a, Khawārij, Murji'a) and, as a consequence, brought about significant social change. This change led to a need to regulate relations between these movements and the proto-Sunnīs. When the problem first arose, judges introduced procedures based on their own opinions. Gradually, however, jurists elaborated a set of legal doctrines to address the fragmentation of Islamic society. Accordingly, the sources that address judicial practice suggest that newly-formed social needs motivated judges to come up with their own original answers; it was only then that jurists took up the issue and formulated a systematic doctrine. At this point it is worthwhile for us to turn to the doctrines themselves and to

¹⁷ M. Hinds, EI2 art. "Miḥna."

¹⁸ Kindī, *Akhbār*, 446.

¹⁹ Ibid., 447.

examine what we can learn from them about the standing of sectarians and how this doctrine was formulated.

The Legal Doctrines

Muslim jurists are divided into two trends of thought regarding the testimony of sectarians in courts of law. One group, which objects to sectarian witnesses, consists mostly of Ḥanbalī and Mālikī jurists. The second group, which accepts sectarian witnesses, is made up mostly of Shāfiʿīs and Ḥanafīs. The purpose of this survey is to scrutinize the nuances of these doctrines and to gain some insight into their legal reasoning.

The survey will begin with the Ḥanbalīs who, like the judges mentioned above, reject the testimony of sectarians. It is convenient to examine their position through the *Mughnī* of Ibn Qudāma (d. 630), one of the most authoritative medieval Ḥanbalī texts, presenting a spectrum of both Ḥanbalī and non-Ḥanbalī views.²⁰ The *Mughnī* is a detailed commentary on the *Mukhtaṣar* of al-Khiraqī (d. 344), and accordingly begins its discussion about witnesses with a quote from this work: “Do not accept the testimony of a man or woman who is not sane, Muslim, mature and upright.”²¹ Ibn Qudāma elaborates on each of these four criteria and adds three more. From the perspective of this study, it is important to note that Ibn Qudāma placed the discussion of the validity of the testimony of sectarians under the category of *ʿadl*, and not that of being Muslim. This typology indicates that he perceived these sectarians as Muslims, and that his rejection of their testimony did not derive from their expulsion from the community (*takfīr*) but for other reasons that will be presented shortly.

Ibn Qudāma’s views are based on his interpretations of Qurʾānic verses and *ḥadīth*, as well as the opinions of earlier jurists. He begins with two verses from the Qurʾān. The first is: “And take for witness two persons from among you endowed with justice (*ʿadl*).” The verse is followed by Ibn Qudāma’s remark: “And therefore do not accept the testimony of the sinner (*al-fāsiq*).”²² The gist of Ibn Qudāma’s commentary on the verse is that the Qurʾānic condition that a witness be

²⁰ Ibn Qudāma, *al-Mughnī*.

²¹ Khiraqī, *Mukhtaṣar*, 229; Ibn Qudāma, *Mughnī*, 14: 37.

²² Ibn Qudāma, *Mughnī*, 14:39, citing Qurʾān, *al-Ṭalāq* 2.

‘*ādil* implies that he cannot be a *fāsiq*. However convincing we may find this interpretative leap from the Qur’ān’s clear injunction of ‘*ādil* to a rejection of the testimony of a *fāsiq*, it is important to note that the rejection of the *fāsiq* is not stated explicitly in this verse. Yet Ibn Qudāma’s linking of the two, however tenuous, is not coincidental. *Fisq* (sinfulness, moral depravity) is a pivotal concept in his legal arsenal, because it enables him to link his understanding of the moral status of sectarians with his insistence on rejecting their testimony.

It is only in the subsequent Qur’ānic verse that the term *fāsiq* appears: “If a sinner (*fāsiq*) comes to you with any news, ascertain the truth.” Ibn Qudāma understands this to mean “and it commands [that we] suspend information from the *fāsiq*; [since] testimony is information, [therefore] it is incumbent [on us] to suspend his [testimony].”²³ In this Qur’ānic verse the term *fāsiq* does appear, but not as the negation of ‘*ādil*. Thus, nowhere in the Qur’ān are these two presented as mutually exclusive. Furthermore, in contrast to what Ibn Qudāma would have us believe, even though the verse reflects doubt about the veracity of the information conveyed by a *fāsiq*, it does not instruct the believers to reject it, but rather to “ascertain the truth,” i.e., to inquire into it. In other words, it is a warning rather than a prohibition. The pertinent point that ought to be emphasized about both of these verses is that neither explicitly prohibits the testimony of a *fāsiq* in court.

The fact that these two verses are not unequivocal injunctions against the testimony of *fussāq* forces Ibn Qudāma to speculate about their meaning and to link them to the topic through a tenuous interpretation. As a consequence, these verses are not the trump cards that the jurists needed in order to deny sectarians the right to testify in courts of law. And in fact, none of the other jurists whose texts I have examined refer to these verses. Effectively speaking, these verses played a minor role in the discussion of the admissibility of sectarian testimony. The reason for this probably has to do with the weak, somewhat speculative connection between these verses and the matter at hand.

After this discussion of Qur’ānic verses, Ibn Qudāma turns to the next rung in the ladder of legal sources, the *ḥadīth*, and cites: “Do not permit the testimony of the faithless (*khā’in wa-lā khā’ina*)...”²⁴ Basing himself on Abū ‘Ubayd (d. 224), a widely respected *qāḍī* and one

²³ Ibid., citing Qur’ān, *al-Ḥujurāt* 6.

²⁴ Ibid., 14:39–40.

of the outstanding intellectuals of his age, Ibn Qudāma argues that this prescription is more comprehensive than the *khā'in* or *khā'aina* and includes individuals who do not follow any of God's prescriptions.²⁵ However, the *ḥadīth*, like the Qur'ān, does not state explicitly that a *fāsiq's* testimony must be rejected.

The most important point that can be made about these citations of scripture is that they received little attention from jurists outside the Ḥanbalī milieu. As a consequence, it can be said that very few jurists upheld Ibn Qudāma's interpretation of canonical texts and his opinion that they offer guidance about the status of *fussāq* in society, and more specifically, in the courts of law.

A third argument that Ibn Qudāma puts forth is based on a survey of juridical opinions. The views of jurists can serve as a binding factor if there is a consensus among them regarding a particular issue. However, in the case of the legal status of sectarians, the jurists were divided and, as a consequence, their opinions did not serve as a definitive argument in favor of Ibn Qudāma's doctrine. It is clear that Ibn Qudāma was aware of this disagreement, since he mentions two groups of jurists, those who view sectarian testimony as legitimate and those who do not. Yet, despite this limitation, he uses this opportunity to create a link between *fisq* and theological innovation (*bid'a*). It is at this point that we reach the mainstay of Ibn Qudāma's argument: sectarians are *fussāq* and are thereby prohibited from testifying in courts of law; hence, they may not serve as witnesses.

After Ibn Qudāma reiterates his opinion, he assembles a list of five esteemed jurists who, like him, did link *fisq* with theological innovations: Mālik, Sharīk, Ishāq, Abū 'Ubayd and Abū Thawr.²⁶ All five of these jurists lived and expressed their opinions between the middle of the second to the early third century of the Hijra. This chronological characteristic is revealing, since Ibn Qudāma placed a high premium on the opinions of early jurists (particularly the generations of the *Ṣaḥāba* and the *Tābi'ūn*). It stands to reason that if Ibn Qudāma did not mention anyone from the first century, it is because he did not know any such jurist who explicitly forbade the appearance of sectarians in court. Following the list of jurists who oppose sectarian testi-

²⁵ See EI2 art. "Abū 'Ubayd b. Sallām."

²⁶ Ibn Qudāma, *Mughnī*, 14:40. Two of these five figures, Sharīk b. 'Abdallāh and Abū 'Ubayd al-Qāsim b. Sallām, were *qāḍīs*.

mony in courts of law, Ibn Qudāma specifies the theological deviations that are banned from the courts. For this he quotes the bellicose Sharīk: "There are four [types] whose testimony is not permitted," and he specifies the Rāfiḍa, Khawārij, Qadariyya and Murji'a.²⁷ Although a remark made by a second-century *qāḍī* does not rank high in the hierarchy of legal authorities, it is apparently all that Ibn Qudāma can muster to advance his point of view. Sharīk's words are thus probably the earliest explicit prohibition against the appearance of sectarians in courts of law.

Following his presentation of the Ḥanbalī position, Ibn Qudāma presents the opposing view, which he ascribes to al-Shāfi'ī and to several Kufan scholars: Ibn Abī Laylā (d. 148), al-Thawrī (d. 161), and Abū Ḥanīfa (d. 150) and his companions.²⁸ When we compare this list of jurists who accept the testimony of the sectarians to the previous list of jurists who do not, two features stand out. First, both lists mention jurists who lived around the middle of the second century, confirming once again that before that period the appearance of sectarians in courts of law was barely discussed by jurists, if at all. Second, among the scholars who accepted the sectarians' testimony are four Kufans, whereas among those who did not admit the testimony of sectarians there are four Baghdadis and Medinans, and only one Kufan. This suggests that within Kufa there evolved a more tolerant view towards alternative interpretations of the tenets of the Islamic faith.

Ibn Qudāma ascribes to the jurists who permit sectarian testimony two central arguments. The first is that "disagreement should not lead to their expulsion from Islam, for it is similar to disagreement over legal matters (*furū'*)."²⁹ According to Ibn Qudāma, the jurists who make this point cast the debate in a binary manner. They assume that all Muslims can testify in courts of law and that accordingly, all they need to do is to prove that sectarians are Muslims and not *kuffār* in order for their testimony to be accepted. The problem with this argument is that it avoids the pivotal point that between *kuffār* and believers there is a third category, that of *fussāq*. However, in the second argument that they make, they put forth a more nuanced position that does address *fisq*. They argue that sectarians' testimony ought to be

²⁷ Ibid.

²⁸ Ibid., 14:41.

²⁹ Ibid.

accepted “because their sinfulness (*fisq*) does not demonstrate their deceit.” This line of argument acknowledges that theological deviants may be *fussāq*, but it also draws a distinction between two types of *fussāq*: those who sin because they are liars and those who have strayed from true belief because they are mistaken. *Fussāq* who are liars are unreliable and their testimony must be rejected. However, *fussāq* who simply misunderstand the tenets of the faith, a shortcoming that does not necessarily lead to lies, are not demonstrably unreliable, and therefore their testimony should not be disqualified.

Ibn Qudāma concludes his survey with one exceptional Ḥanbalī opinion, that of Abū l-Khaṭṭāb (d. 510), who infers from the fact that *dhimmīs* can give testimony about each other, that *fussāq* can do the same.³⁰ Apparently, the characteristic that *dhimmīs* and *fussāq* have in common is that they both embrace false theological beliefs. It is this shared feature that enables Abū l-Khaṭṭāb to argue that their legal standing ought to be the same. He also states that Ibn Ḥanbal approved of accounts about the Prophet (*riwāya*) that were transmitted by sectarians, if the transmitters did not propagate their misconceived beliefs in public. This reference to Ibn Ḥanbal enables Abū l-Khaṭṭāb to argue that mistaken beliefs are not a justification for isolating individuals and should not be used to disqualify them from passing information. Basing himself on this observation, Abū l-Khaṭṭāb permits the testimony of sectarians in the courts.

The Ḥanbalī position has a number of noteworthy characteristics. First, Ibn Qudāma makes a forceful effort to base his position on holy scripture. However, neither the Qur’an nor the *ḥadīth* literature furnish him with the unequivocal statements he needs for making a compelling argument. A second feature of the Ḥanbalī position is that it does not mention the *Ṣaḥāba* or the *Tābi‘ūn*, since none of these expressed opinions on the matter. This was a significant weakness of the Ḥanbalī position, which their ideological opponents exploited. A third feature of Ibn Qudāma’s legal reasoning is his candid survey of juridical opinion. In turning to the earliest jurists who addressed the issue, Ibn Qudāma admitted that they were divided; accordingly, he could not claim to have consensus on his side. This survey, along with Ibn Qudāma’s silence regarding the *Ṣaḥāba*, confirms the findings based on Waki’ and al-Kindī’s accounts of judicial history, namely that

³⁰ Ibid., 14:42.

the discussion of sectarians in courts began in the middle of the second century of the Hijra.

Ibn Qudāma's survey of the jurists' opinions mentions Mālik b. Anas as a supporter of the hard-line position. Despite this reference to Mālik, I have found no evidence to that effect in the *Muwatta'*, nor have I found any discussion on the topic in the *Mudawwana*.³¹ In the fourth century, Ibn Abī Zayd al-Qayrawānī (d. 386) makes a general remark in his *Risāla* that the only testimony that can be accepted is that of the upright person (*al-'adūl*).³² However, a *fatwā* written by al-Wansharīsī ascribes to Ibn Abī Zayd the opinion that "the *madhhab* of Mālik and his companions consider their testimony [that of the Khawārij] completely inadmissible."³³ On the whole, the Mālikī position is similar to the Ḥanbalī view. However, I have not come across detailed discussions of the topic.³⁴

The earliest clear-cut and detailed statement on the question of sectarian witnesses from the Shāfi'ī and Ḥanafī point of view was made by al-Shāfi'ī himself in the *Kitāb al-umm*. Shāfi'ī is of the opinion that the testimony of sectarians ought to be admitted in the courts of law, and he argues for this position in the following manner:

Nor do we know any member of the *salaf* (generation) of this *umma* who was (worthy of being) a role model, nor from the generation that followed them (*al-tābi'in*), who rejected the testimony of anyone simply because he subscribed to an interpretation, even if his wrong and misguided opinion permitted what was forbidden.³⁵

The most important point that Shāfi'ī makes in this statement is that even if someone embraces an erring religious interpretation (*ta'wīl*), his or her testimony is not disqualified. These words will be cited by a number of important Shāfi'ī jurists such as al-Māwardī in *al-Ḥāwī al-kabīr* and al-Nawawī in the *Rawḍat al-ṭālibīn*.³⁶ In fact, al-Māwardī will even argue that if someone espouses an erring opinion because of his whims and does not have a *ta'wīl* to support it, his testimony will be rejected in court, whereas someone whose error relies on a *ta'wīl*

³¹ Mālik, *al-Muwatta'*; Sahnūn, *al-Mudawwana*.

³² Qayrawānī, *Risāla*, 132–33.

³³ Wansharīsī, *Mi'yār*, 10:191.

³⁴ For a brief remark on the Mālikī view that all theological deviants should be prohibited from testifying, see al-Māwardī, *al-Ḥāwī*, 21:191.

³⁵ Shāfi'ī, *Umm*, 6:290.

³⁶ Māwardī, *Ḥāwī*, 21:181; Nawawī, *Rawḍa*, 11:241.

will be allowed to testify.³⁷ According to this view, espousing a religious outlook (*ta'wīl*), even if it is wrong, serves as a mitigating factor. This is a significant point that will be discussed in the last part of this article.

When we examine the legal reasoning that guides al-Shāfi'ī, two features stand out. The first is that in contrast to Ibn Qudāma, al-Shāfi'ī ignores the canonical texts. This is not typical of al-Shāfi'ī in the *Kitāb al-umm*. Often, when he can base a legal position on Qur'ānic verses or *ḥadīth*, he does so. Hence, the fact that al-Shāfi'ī does not refer to sacred Islamic texts leads me to suspect that he hasn't found within them a clear statement regarding sectarians in the courts of law. The second is al-Shāfi'ī's interpretation of the silence of the *Ṣaḥāba* and the *Tābi'ūn* regarding the testimony of sectarians. According to him, the fact that "we" are not aware of any esteemed jurist from the first generations of Islam who rejected the testimony of sectarians indicates that such erring individuals should be allowed to testify in courts. Hence, whereas Ibn Qudāma simply skips over the silence of the *Ṣaḥāba* and the *Tābi'ūn* and goes on to discuss second-century jurists, al-Shāfi'ī pays special attention to this silence and bases his argument on it.

Despite the fact that al-Shāfi'ī was the eponymous founder of the Shāfi'ī *madhhab*, several jurists of that madhhab disagreed with him. In a survey of the opinions of Shāfi'ī jurists on the status of sectarians in the courts of law, al-Nawawī begins by pointing out that a majority of them accepted their founder's opinion.³⁸ However, there was another trend (i.e., a second group of Shāfi'īs), that of Abū Ḥāmid al-Isfarāyīnī (d. 406) and his followers, who rejected the testimony of sectarians.³⁹ Lastly, al-Nawawī writes about a third group of jurists, each of whom devised his own discrete opinion on the different sects. On the whole, when we compare the spectrum of Shāfi'ī opinions regarding the admissibility of sectarian testimony in courts of law with that of the other *madhhabs*, it seems that the Shāfi'īs had the widest array of opinions.

The variegated positions of the Shāfi'īs are also mentioned by al-Māwardī who, in his long and detailed analysis of the status of sec-

³⁷ Māwardī, *Hāwī*, 21:185.

³⁸ Nawawī, *Rawḍa*, 11:240.

³⁹ Ibid. Abū Ḥāmid's position is well-known and appears in Ibn Qudāma, *Mughnī*, 14:41.

tarian witnesses, compares the Shāfi'īs to the Mālikīs and Ḥanafīs and observes that the Shāfi'īs “do not accept the testimony of all [sectarians], nor do they reject the testimony [of all sectarians].”⁴⁰ By comparison, al-Māwardī observes, Abū Ḥanīfa made light of the issue and accepted anyone who was a Muslim, while Mālik rejected the testimony of all sectarians. In between them were the Shāfi'īs who were selective, and those who committed to neither view.

The Ḥanafī position is similar to that of the Shāfi'īs. However, in a survey of opinions on sectarian witnesses, the renowned fifth-century Ḥanafī jurist al-Sarakhsī depicts al-Shāfi'ī's opinions differently from what we have seen until now. Sarakhsī argues that al-Shāfi'ī prohibited sectarians from testifying in courts of law. He obliterates al-Māwardī's nuanced presentation of Shāfi'ī views, placing al-Shāfi'ī and his followers in the camp of those who reject the testimony of sectarians: “And al-Shāfi'ī, God's mercy be upon him, said: ‘Do not admit the testimony of the sectarians (*ahl al-ahwā'*).”⁴¹ It seems that in his *Mabsūṭ*, al-Sarakhsī sketches a map of opinions that does not acknowledge the complexity of Shāfi'ī views and does not even mention the Mālikīs and Ḥanbalīs.

In the opening sentences of his description of the Ḥanafī position, al-Sarakhsī writes: “Abū Ḥanīfa and Ibn Abī Laylā, God's mercy be upon them, said: ‘The testimony of sectarians (*ahl al-ahwā'*) is permitted.’ This is the opinion of all the Ḥanafīs, God's mercy be upon them.”⁴² Whereas the reference to Abū Ḥanīfa seems accurate, the reference to Ibn Abī Laylā (d. 148) requires explanation. Ibn Abī Laylā was a well-known *qāḍī* in Kufa and a contemporary of Abū Ḥanīfa. It is worth noting that both al-Sarakhsī and Ibn Qudāma remark that he permitted the testimony of sectarians. However, despite their agreement on this point, the evidence in Wakī's *Akhhbār al-quḍāt* offers a more complex picture. Here it is said that “Ibn Abī Laylā did not permit the testimony of the Rāfiḍa.”⁴³ On the other hand, Wakī writes that he did accept the testimony of a Khārijī woman.⁴⁴

Al-Sarakhsī's position that the testimony of sectarians ought to be admitted into court rests on two considerations. The first is the

⁴⁰ Māwardī, *Hāwī*, 21:191.

⁴¹ Sarakhsī, *Mabsūṭ*, 16:132.

⁴² Ibid.

⁴³ Wakī, *Akhhbār*, 3:133.

⁴⁴ Ibid., 3:134.

historical reason that has already come up in the *Kitāb al-umm*, where al-Shāfiʿī argues that none of the jurists in the age of the *salaf* prohibited sectarian testimony in the courts. Al-Sarakhsī refers to the same period of time, but chooses to comment on the *fitna*: "...they [the *Ṣaḥāba*] were divided among themselves, they fought and killed one other, and there is no doubt that testimony among them was admissible."⁴⁵ Although the reasons given by al-Shāfiʿī and al-Sarakhsī are similar in that they both draw upon the conduct of the first two generations of Muslims, the difference between them is that al-Shāfiʿī focuses on the opinions of jurists, whereas al-Sarakhsī refers to the entire early Islamic community and its civil war. On the whole, both of them put forth a similar line of argument in which they ignore the canonical texts and emphasize the norms that prevailed among the early believers.

Al-Sarakhsī's second argument revolves around the question of the witnesses' trustworthiness. The thrust of his argument is that theological deviants are not necessarily dishonest and therefore, assuming that their only problem is the incorrectness of their beliefs, there is no reason to doubt the veracity of their testimony and to prevent them from testifying. In Sarakhsī's words, "they came under the influence of sectarian opinions, [yet] that is not reason enough to accuse them of deceit in their testimony."⁴⁶ Al-Sarakhsī then surveys a number of situations that illustrate the nuances of his views.

One of the most widely-recognized impediments to trustworthiness is enmity. Most jurists cast doubt on the reliability of evidence that two individuals who are at odds can give about one other. It is interesting to observe how al-Sarakhsī uses this issue to sketch the differences between the alleged Shāfiʿī position and that of the Ḥanafīs: "al-Shāfiʿī, God's mercy be upon him, [did not accept an enemy's testimony] because their enmity leads to gossip and this is the reason why he forbade sectarians (*ahl al-ahwā'*) to testify about Sunnis (*ahl al-ḥaqq*)."⁴⁷ According to al-Sarakhsī, al-Shāfiʿī assumes that ideological differences of opinion bear the same hazards as personal animosity. He ascribes to him the position that in both cases, personal interests that are not related to the legal matter at hand may lead to the distor-

⁴⁵ Sarakhsī, *Mabsūt*, 16:132–133.

⁴⁶ *Ibid.*, 16:133.

⁴⁷ *Ibid.*

tion of the evidence that the witness conveys. Although this description of al-Shāfiʿī's position does not tally with what we know from other sources, it does convey, in telegraphic form, one of the arguments that opponents to sectarian testimony may raise regarding the reliability of such testimony.

This description of al-Shāfiʿī's alleged opinion is followed by a statement regarding al-Sarakhsī's own view: "As for us [Ḥanafis, we believe that] if the hostility between them is the result of a religious matter, then their testimonies about each other are acceptable because they do not include reference to deceit."⁴⁸ Al-Sarakhsī does not analyze al-Shāfiʿī's argument, but he does pose a contradicting opinion. His assumption is that so long as there is no personal clash between two individuals, and the only factor that divides them is theological disagreement, then the disqualification due to enmity is not relevant and as a consequence they can testify. This opinion, however, does not address the psychological dimension of al-Shāfiʿī's observation that ideological disagreement can lead to enmity.

Al-Sarakhsī continues his exposition of trustworthiness and raises the issue of the reliability of sectarians as transmitters of the Prophet's reports (*akhbār*). His opinion is that although sectarians may serve as reliable witnesses, they cannot serve as reliable transmitters of *akhbār*. The reason for distinguishing between the two is that sectarians are prone to manipulate *akhbār* in order to promote their beliefs and views. In other words, a sectarian has a clear motive to distort *akhbār* and to present them in a manner that serves his interpretation of faith. However, this incentive to distort *akhbār* is not relevant to mundane matters (*al-muʿāmalāt*). Trustworthiness, according to al-Sarakhsī, depends on the motive to distort information in specific contexts and instances, and whereas sectarians have good reason to tamper with *akhbār*, they have no reason to do so with everyday matters.

The historical fact that the sects appeared after the death of the Prophet, and the lack of *ḥadīth* about sectarians, all tended to create a situation in which the discussion about the legal doctrine pertaining to sectarians was not based on scripture. As a consequence, it was open to other types of legal reasoning. One line of reasoning that came up among both adherents and opponents of sectarian testimony drew upon the opinions of previous generations of jurists. However, this

⁴⁸ Ibid.

criterion could not bring about a definitive legal solution because the jurists from previous generations were divided among themselves. Another type of legal criterion was terminological and ideological. At the center of this analysis was the meaning of *ta'wīl* (or other terms that imply deviant beliefs), and its moral significance.

Because the Muslim jurists could not construct binding legal arguments regarding the legal status of sectarians, their deliberations on this problem were shaped by different visions of religiosity. The next section will attempt to explore how the world-views of these jurists affected the legal doctrines pertaining to sectarians.

Legal Reasoning and its Underlying Moral Assumptions

Islamic societies were made up of a number of social hierarchies that were determined by a variety of factors such as faith (Muslims, *dhimmīs*, polytheists), gender (male, female), and freedom (free persons, slaves). Islamic law recognizes all these social categories and discusses them in detail. To these socio-legal groups we need to add distinctions based on moral status. Muslim jurists addressed immoral conduct and straying beliefs in a number of legal discussions, and they debated the legal standing of those profligate persons who engaged in such conduct or held such beliefs.⁴⁹ The references in this study to the legal standing of sectarians in courts of law are one example of such discussions. As we saw in the previous section, Muslim jurists were divided into two trends that engaged in debate over the legal standing of sectarians. One of these trends, made up mainly of Shāfi'īs and Ḥanafīs, considered the testimonies of sectarians as valid, while the second trend, made up mainly of Ḥanbalīs and Mālikīs, rejected the testimonies of sectarians. The last part of this study will examine the underlying moral views of each of these legal trends. It will begin with an investigation of the concept of *ta'wīl* (or other terms such as *i'tiqād al-bid'a*).

Within the context of the legal discussions examined in this study, *ta'wīl* means theological interpretation and, in some cases, interpretations that strays from mainstream tenets of faith. Whereas most jurists agree on which theological tenets are deviations and which movements

⁴⁹ For general observations, see Crone, *God's Rule*, 385–92.

have strayed from the path of true belief, they disagree over the legal status and social standing of these deviants. To put it somewhat differently, they agree that sectarians ought to coexist together with mainstream Sunnīs, but they do not agree about what this coexistence means. The disagreement between these two trends of thought revolves around two central questions: What is the nature of theological deviation? And what ought to be its social consequences?

The analysis offered in the remaining part of this section is based on the findings of Khaled Abou El Fadl's *Rebellion and Violence in Islamic Law*, together with the results of this study, in an attempt to understand the meanings ascribed to *ta'wīl* and their legal repercussions.⁵⁰ It is noteworthy that even though Abou El Fadl's study focuses on political disobedience, it makes several pertinent remarks about theological deviation that will enable us to widen the scope of the investigation significantly.

One of the most important elements in the thought of numerous Shāfi'ī and Ḥanafī jurists about theological deviants is the distinction they make between erring beliefs and dishonesty. These jurists argue that sectarians who misunderstand Islamic theology are not necessarily liars and that therefore, there is no reason to doubt the veracity of their testimony. This approach occurs in al-Shāfi'ī's exposition of the testimony of sectarians, where he writes that none of the forefathers of the Islamic community rejected the testimony of sectarians who went astray in their beliefs (*bi-ta'wīlihi*), if their only fault was mistaken belief.⁵¹ Al-Sarakhsī, in his discussion of testimony, makes this point even more explicitly: "And the sinfulness that derives from wrong belief is not an indication of that [deceit that disqualifies testimony]."⁵² Al-Sarakhsī, like al-Shāfi'ī, assumes that there are several types of sin, each of which warrants a different kind of legal sanction. More specifically, mistakes are not equivalent to lies, and there is therefore no reason to prevent people who make mistakes from testifying in courts of law.

Many Shāfi'ī and Ḥanafī jurists add another element to their discussions of straying belief. They go so far as to view *ta'wīl* as an extenuating factor. As a consequence, when they discuss sanctions against

⁵⁰ Abou El Fadl, *Rebellion and Violence in Islamic Law*.

⁵¹ Shāfi'ī, *Umm*, 6:290.

⁵² Sarakhsī, *Mabsūṭ*, 16:133.

offenders who are motivated by erring theological views, they opt for sanctions that are less severe than the sanctions imposed upon offenders who do not support their acts with a theological interpretation, and are thus motivated by mere whim or naked self-interest. In al-Māwardī's exposition of testimony, this point comes across quite clearly: "One who commits an offense out of a whim, and does not embrace an interpretation (*bi-ta'wīl*) [to justify his action], is in error and shall be judged in accordance with his sin, and his testimony shall be rejected."⁵³ Al-Māwardī reiterates here the distinction between offences that stem from a religious outlook (*ta'wīl*) and those that are done "out of whim," and concludes that the testimony of offenders who possess *ta'wīl* may be accepted by the courts of law. Another jurist who considers *ta'wīl* as a mitigating factor is al-Ghazālī, whose thought is summarized by Abou El Fadl: "He [al-Ghazālī] argues that if the rebels relied on an interpretation, their testimony should be accepted in court, and that their legal acts and adjudications, ... should be recognized. Nonetheless, if the rebels enjoy *shawka* but lack *ta'wīl*, their adjudications should not be recognized or given effect."⁵⁴

Ta'wīl is therefore the differentiating factor that distinguishes between the types of offenders and their legal standing, including their right to appear as witnesses in the courts of law. According to Abou El Fadl, al-Shāfi'ī himself considered *ta'wīl* as the factor that determined whether an act of violence was banditry, and therefore ought to be punished severely, or rebellion, in which case it ought to be punished in a milder manner. *Ta'wīl* is the decisive element that transforms the status of a violent individual from a bandit into that of a rebel. This approach, which argues that offenders who embrace some sort of *ta'wīl* have legal rights that distinguish them from common criminals, is also espoused by the Ḥanafī jurist al-Jaṣṣāṣ, whose position on the matter is summarized by Abou El Fadl: "Importantly, the main distinction between bandits and rebels is that rebels rely on an interpretation (*ta'wīl*), and therefore rebels are fought only for the limited purposes of repelling their harm and self-defense, while bandits are fought in order to punish them for their crimes."⁵⁵ The feature that Shāfi'īs and Ḥanafīs share is their stipulation of lenient sanctions

⁵³ Māwardī, *Ḥāwī*, 21:185.

⁵⁴ Abou El Fadl, *Rebellion and Violence*, 185–186.

⁵⁵ *Ibid.*, 190.

against offenders motivated by *ta'wīl*. It seems that this approach meant to integrate theological deviants into society in the easiest manner possible.

In contrast to the views of these Shāfi'ī and Ḥanafī jurists, Ibn Qudāma argues that offenders who commit offences due to wrong religious beliefs ought to be punished just as severely as other types of offenders, if not more so.⁵⁶ In his discussion of testimony, he writes that there are two types of sins, sinful acts and sinful opinions. Jurists, he remarks, unanimously agree that the testimony of offenders by acts ought to be rejected. He then addresses the second type of offence, that which is motivated by straying beliefs (*i'tiqād al-bid'a*) and writes that it is obligatory to reject the testimony of these offenders as well. This is followed by a list of specific groups to be rejected: Rāfiḍa, Khawārij, Qadariyya and Murji'a.

Ibn Qudāma goes beyond the argument that straying beliefs deserve punishment. Their effect is even more detrimental, because they cause a decline in the moral standing of the sinners. In his discussion of rebels, Ibn Qudāma writes: "Rebels, if they are not heretics (*ahl al-bid'a*), are not sinners."⁵⁷ Note that Ibn Qudāma, in contrast to many Shāfi'ī and Ḥanafī jurists, holds that it is theological deviation (*bid'a*) that degrades the rebel's moral standing to that of a sinner. A rebel who simply commits acts of violence but does not espouse deviant theological beliefs is not a sinner. Ibn Qudāma continues that rebels who are not *ahl al-bid'a* or Khawārij are not sinners but are simply mistaken, and one ought to accept their testimony. However, if it is *ahl al-bid'a* or Khawārij that rebel, then their testimony must be rejected.

The difference between the two doctrines mentioned above is the way in which they understood the concept of *ta'wīl* and the moral standing they ascribed to those individuals who embraced it. The Ḥanafīs and Shāfi'īs had zero tolerance for political disobedience and formulated a legal doctrine that excluded rebels from society. At the same time, they had a forgiving attitude toward *ta'wīl* and formulated a legal doctrine that integrated straying believers into society. By contrast, most Ḥanbalīs and Mālikīs had no tolerance for misguided *ta'wīl*, viewed straying believers as borderline heretics, and formulated a legal

⁵⁶ Ibn Qudāma, *Mughnī*, 14:40.

⁵⁷ *Ibid.*, 9:12.

doctrine that marginalized them.⁵⁸ At the same time they were more lenient towards political disobedience and formulated doctrines that allowed rebels some legal rights.

The Ḥanbalī critique of *ta'wīl* goes even further. It does not merely argue that sectarians who believe in straying *ta'wīl* ought to be ostracized. Rather, it claims that any form of *ta'wīl* is forbidden. From the Ḥanbalī point of view, any act of *ta'wīl* is unacceptable. Their view that *ta'wīl* is illegitimate is part of their general objection to theological discourse. One of the most detailed expositions of this view was expounded by Ibn Qudāma who listed nine reasons why Muslims ought “to abstain from allegorical interpretation.”⁵⁹ He begins by citing a Qur'ānic verse, which he argues links the interpretation of equivocal verses with the “inclination to go astray;”⁶⁰ he continues by pointing out that the Ancestors and Imams did not attempt to understand Qur'ānic texts by means of *ta'wīl*;⁶¹ and he adds a number of his own arguments. In one of them he observes that it is impossible to know the precise meaning and intention of God, and therefore “Allegorical interpretation is...the interpretation of His intent by that which the interpreter does not know that he intended.”⁶² In another argument he makes the well known accusation “Allegorical interpretation is a novelty in religion... Novelty in religion is the heretical innovation against which our Prophet has cautioned us,...”⁶³ The nine arguments that he lists against the practice of *ta'wīl* lead him to conclude that “the door of allegorical interpretation has become closed.”⁶⁴

Ibn Qudāma's critique of *ta'wīl* reflects the long standing Ḥanbalī views on the subject. Ḥanbalī sources cite al-Barbahārī (d. 329), as stating “one who talks about the faith (*dīn*) of God on the basis of his opinion, and his *qiyās* and his allegorical interpretation without an authoritative source (*ḥujja*) from the *sunna* and consensus, speaks of God out of ignorance.”⁶⁵ In another statement he explains why he is an adamant opponent of theology: “Thinking about Allāh is *bid'a*. This

⁵⁸ For Hanbalī statements on *ta'wīl*, see Ibn Abī Ya'ālā, *Ṭabaqāt al-Ḥanābila*, 1:342, 2:31. Ḥanbalī sources contain numerous statements disapproving of theological investigation.

⁵⁹ Ibn Qudāma, 1962, p. 20; Ar. p. 28.

⁶⁰ Ibid. p. 20; Ar. p. 29.

⁶¹ Ibid. p. 21; Ar. p. 30.

⁶² Ibid. p. 21; Ar. p. 30.

⁶³ Ibid. p. 21; Ar. p. 31.

⁶⁴ Ibid. p. 23; Ar. p. 34.

⁶⁵ Ibn Abī Ya'ālā (1371/1952), p. 2:31.

is due to the Prophet's statement "speculate about the creation (i.e., man) and do not speculate about Allāh." Thinking about the Lord inserts doubt into the heart."⁶⁶ The reason why al-Barbahārī rejects theology is simple and straightforward: thinking about the Lord can drive one away from the Lord. Ibn Qudāma's and al-Barbahārī's statements indicate that the Ḥanbalis stood apart from many other Muslim thinkers in that they viewed *ta'wīl* as illegitimate and integrated this attitude into their legal thinking as a moral liability rather than a moral asset.

Due to the Ḥanbalis' negative attitude towards theology and *ta'wīl*, it is hardly surprising that their jurists elaborated legal doctrines that limited social interactions between these sinners and mainstream believers. These jurists use the law to place individuals whom they consider to be morally inferior sinners in a socially inferior position. Hence, theological deviants are deprived of respected roles in religious rituals, such as leading prayer, or positions of social standing such as serving as witnesses in courts of law. The legal doctrine of these jurists reflects a moral hierarchy, according to which the social position of individuals is determined by their moral conduct.

By contrast, Shāfi'ī and Ḥanafī jurists view straying *ta'wīl* as a minor moral offence and refer to it in terms of an intellectually misguided error. Furthermore, in certain contexts they view theological deviation as an attenuating factor that distinguishes the sectarian from the selfish, brutal bandit, and places him in a superior moral and legal position. Because these jurists view theological deviation as an intellectual failure rather than a cardinal sin, they do not consider sectarians as morally inferior, they do not envision a social order that marginalizes them, and they do not articulate a legal doctrine that punishes them for their beliefs. The Ḥanafī and Shāfi'ī attitude does not ban intellectual activities, nor does it attempt to ostracize, in theory or in practice, those circles of scholars who inquire into theological matters.

To return to the central theme of this study: how did legal doctrines evolve within social, moral and intellectual contexts? First, the case of the sectarian's testimonies in the courts of law illustrates that in some cases legal doctrine is an outcome of profound social change. The reconfiguration of Islamic society that was the consequence of newly-formed sects and intellectual movements moved jurists to formulate a

⁶⁶ Ibid. p. 2:23.

legal doctrine that would offer guidelines for appropriate interactions with sectarians. Hence, the doctrine pertaining to the status of sectarians in the courts of law was in fact a reaction to a newly-evolving social structure. Secondly, legal doctrines are shaped by the underlying moral assumptions of the jurists that articulated them. That is the reason that the jurists formulated two different doctrines regarding sectarians in the courts of law. According to the more lenient of the two, sectarians need not be ostracized, even though their theological deviation is recognized as a problem. According to the harsher doctrine, theological deviation is a major sin and a great threat to Islamic society. These jurists formulated sanctions that sought to marginalize sectarians and to limit their interactions with faithful Muslims. Hence, in both cases the legal doctrine that each trend articulated was an outcome of social change and the unique moral views that its jurists espoused.

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THE LEGAL STATUS OF SCIENCE IN THE MUSLIM WORLD
IN THE EARLY MODERN PERIOD:
AN INITIAL CONSIDERATION OF FATWĀS FROM
THREE MAGHRIBĪ SOURCES

Justin Stearns

*Introduction*¹

In 1993, the sociologist of science Toby Huff published *The Rise of Early Modern Science: Islam, China, and the West*, the second edition of which appeared in 2003.² The book's ambition—an investigation into why modern science emerged in Western Europe and not in China or the Muslim world—was reflected in the impressive amount of secondary literature that the author consulted. In brief, Huff concluded that both Islamdom and China had lacked the institutional structures developed in early modern Europe that would have facilitated the emergence of what he called “neutral zones” of scientific inquiry.³ By

¹ A version of this paper was presented at the 2008 AAR conference in Chicago. I would like to thank the panel's commentator, Mohammad Fadel, for his insightful comments, and Toby Jones and Nathalie Peutz for their close and helpful readings of an early draft of this paper. I am also grateful to Kareem Khalifa, who was kind enough to talk through some of the theoretical issues raised by the relationship between law and science with me. Finally, I am deeply grateful to Asad Ahmed and Behnam Sadeghi for their careful readings of this paper, their numerous corrections and many helpful suggestions. They saved me from many embarrassing mistakes. All views expressed here are, of course, my own.

² All references here are to the second edition.

³ What Huff meant precisely by “neutral zones” is unclear to this author. The closest he comes to defining them precisely is as follows (*Rise*, 219): “The problem was not internal and scientific, but sociological and cultural. It hinged on the problem of institution building. If in the long run scientific thought and intellectual creativity in general are to keep themselves alive and advance into new domains of conquest and creativity, multiple spheres of freedom—what we may call *neutral zones*—must exist within which large groups of people can pursue their genius free from the censure of political and religious authorities. In addition, certain metaphysical and philosophical assumptions must accompany this freedom. Insofar as science is concerned, individuals must be conceived to be endowed with reason, the world must be thought to be a rational and consistent whole, and various levels of universal representation, participation, and discourse must be available. It is precisely here that one finds that great weaknesses of Arabic-Islamic civilization as an incubator of modern science.”

focusing on the reception and debate of ideas within a larger public sphere, Huff emphasized social, cultural, and civilizational factors, instead of technological or narrowly scientific ones.⁴ Reviews of the first edition, while mixed, were generally positive, and the publication of a second edition ten years after the first speaks to the book's having reached a substantial audience.⁵ Perhaps of most interest to students of the Muslim world was an exchange between Huff and the historian of Islamic science George Saliba, that took place shortly before the appearance of the book's second edition.⁶ Saliba took issue with Huff's definition of "neutral spaces," and argued forcefully that the rise of modern science in Modern Europe was best explained with reference to the economic boost that Europe received from its conquest of the New World, instead of being due to a decline in astronomical thought in the Muslim world.⁷ Saliba's other criticisms generally coincide with those in some of the initial reviews of Huff's book: that asking the question of when modern science arose is tautological as it presupposes a simplistic conception of modern science being inherently Western;⁸ that Huff lacked a sufficient command of the history of astronomy;⁹ and that in his focus on cultural or civilizational factors which may have hindered or facilitated the production and spread of scientific knowledge, Huff had made statements that bordered on racist.¹⁰ Despite the criticisms of Huff's work, I have found the way

⁴ Huff, *Rise*, 219.

⁵ A brief survey of major journals reveals quite disparate responses to the book. Crombie's review was entirely positive, and the reviews of Elman and Restivo largely so, while Lindberg was more critical, and Major and Henry discussed the book in solely negative terms.

⁶ The exchange between Saliba and Huff appeared in three installments in the *Bulletin of the Royal Institute for Inter-Faith Studies*.

⁷ Saliba, "Flying Goats and Other Obsessions." In his recent *Islamic Science and the Making of the European Renaissance*, 248–55, Saliba again stresses the importance of the European colonization of the New World for the rise of modern science in Europe.

⁸ See the reviews by Lindberg and Major, and Saliba, "Seeking the Origins of Modern Science."

⁹ In addition to the reviews cited in the previous note, see also Saliba, "Flying Goats."

¹⁰ Henry, in his review of *Early Modern Science*, 102, writes: "Surely we are not meant to conclude that Western civilization is more rational [than Islam or China] because its constituent members are more rational than Arabs or Chinese?" Saliba, for his part, goes as far to say (in "Flying Goats"): "At this late date, is it still possible for a serious scholar to be so enthralled by Oriental racism that he is incapable of perceiving even the slightest difference between Muslim circles in the West (whatever that means) and the various conditions of Muslims in Brunei, Indonesia, India,

in which he framed his central question—what types of social and institutional factors facilitated the emergence of modern science?—a productive one for considering the interaction between science and jurisprudence (*fiqh*) in the Muslim world in the early modern period. Huff argues that the Scientific Revolution was not as much a series of empirical or technical achievements, as it was the spreading of a new *Weltanschauung* through institutions:

an institution in a strict sociological sense is not simply an organization but rather an institutional complex of *patterned behavior that is generalized throughout a society*. At an incipient stage of development a new set of values might be realized in only one organization, but if they do not transcend that organization to permeate the other institutions of society, such patterns of behavior are not expressions of the institutional foundations of the society. This is largely what happened in the civilizations of Islam and China.¹¹

Unfortunately for Huff, his characterization of the major institution of the Islamic world that he considers—the *madrasa* and Islamic law in general—is deeply flawed. Saliba has already questioned the accuracy of Huff's observation that the natural sciences were not taught in *madrasas* is accurate.¹² Even more pertinent is the fact that Huff's portrayal of the nature of Islamic law and its practice in the post-formative period is dated, based as it is on the now-discredited notion that independent legal reasoning ceased in roughly the eleventh century.¹³ Huff uses the notion that Islamic legal scholars ceased to question the authority of the past at that time to argue, both implicitly and explicitly, that medieval and early modern European scholars were

Nigeria, Tunisia, Morocco, or even Turkey? Neither then nor now? This is indeed regrettable."

¹¹ Huff, *Rise*, 334.

¹² Saliba, "Flying Goats."

¹³ Huff, *Rise*, 91ff. None of Huff's critics has drawn attention to this lapse. Admittedly, recent scholarship, while agreeing that Muslim jurists continued to exert independent reasoning within the established law schools, differs on whether this reasoning took place under the rubric of *ijtihād* or *taqlid*. Compare Jackson, *Islamic Law and the State*, 128, 152–62, with Hallaq, "Iftā' and Ijtihād in Sunni Legal Theory," Wiederhold, "Legal Doctrines in Conflict" (especially the insightful comments at 259–68), and Fadel, "The Social Logic of *Taqlid* and the *Mukhtasar*." For an introduction (leaning towards the views of Hallaq, Wiederhold and Fadel), see Viktor, *Between God and the Sultan*, 151–61. For recent discussions of how Muslim scholars continued to make advances in philosophy and logic during the early modern period, see Wisnovsky, "The Nature and Scope of Arabic Philosophical Commentary," and El-Rouayheb, "Sunni Muslim Scholars on the Status of Logic."

distinguished from their Muslim counterparts by their ability and inclination to view reason and rational inquiry as both desirable and necessary.¹⁴ In the following discussion, I argue that such a claim is misleading and ignores a nuanced acceptance of rational inquiry on the part of Muslim scholars in the early modern period.

I have already referred to the ambition of Huff's book, and it is understandable that any single scholar attempting to offer a synthesis of the literature on science in medieval and early modern Europe, China and Islamdom, may occasionally miss works of importance. However, the sea-change which has taken place during the last three decades of scholarship on Islamic law in the post-formative period (roughly the eleventh to eighteenth centuries) has been profound. If Huff had had the opportunity to familiarize himself with any of the work of Wael Hallaq, Bernard Weiss, Baber Johansen, Sherman Jackson, David Powers, Mohammad Fadel, or Haim Gerber, to name only a few prominent scholars in this field, he would have had to reconsider many of his basic preconceptions regarding Islamic law in the early modern period: that it was conservative and static while simultaneously ignoring legal precedent, that it opposed philosophy, and that its practitioners failed to inquire after higher principles with which they could theorize their study of law.¹⁵ Yet, however misconceived Huff's understanding of Islamic law may be, his question of the nature of law's relationship to science in the Muslim world during the early modern period is important, and has attracted little attention to date.¹⁶

¹⁴ Huff, *Rise*, 116.

¹⁵ Huff, *Rise*, 91, 96, 169, 212, and *passim*. The prevalence of the now questionable characterization of Islam's "decline" in the early modern period can be seen in Saliba's attempt (in "Seeking the Origins of Modern Science?") to shift this label from science to law and theology: "This [the "golden age of astronomy" from the fourteenth to the sixteenth centuries] does not mean that there was no age of decline, but it can be documented that it primarily occurred in legal and religious thought, rather than astronomical thought, during the period in question, a result almost exactly opposite to what the Eurocentric model would predict."

¹⁶ Here I am sympathetic to Lindberg's comment at the conclusion of his review of Huff's book: "Finally, it is important to make clear that my skepticism about Huff's success in reaching his stated goal—explaining why modern science was a European discovery—and about a number of his historical arguments does not discredit and should not be allowed to obscure his considerable achievements: the persuasive appeal to social and institutional factors to explain the differential fates of early science in Islam, China, and European Christendom." Let me be clear that I do not disagree with Saliba's argument for the importance of economic factors in the rise of modern science in Europe, but I feel that these represent only one of the aspects, albeit a very important one, relevant to this question.

In the following discussion, I will examine the place that natural science (chiefly astronomy and medicine) occupied in three of the most important collections of legal opinions (*fatwā*, pl. *fatāwā*) in the Muslim West during the late medieval and early modern periods: the collections of al-Burzulī (d. 841/1438), al-Wansharīsī (d. 914/1508), and al-Wazzānī (d. 1342/1923). Instead of representing editions of the author's own *fatāwā*, these collections contain selections from the legal decisions of hundreds of jurists over a substantial period of time. In this way, they offer valuable windows into the nature and variety of legal practice in the Muslim West in the post-formative and early modern periods.¹⁷ The following discussion below should be seen as an initial attempt at answering the question of how the natural sciences were perceived in Islamic legal circles in the early modern period.

Defining "Science:" the Problem of the Sources

While acknowledging that science is notoriously difficult to define, for the purpose of this paper I have chosen to frame scientific practices as those that, among other things, constituted an alternative form of authority to that professed by legal scholars. Science is considered here as a varied body of specialist knowledge, the nature of which is not primarily defined by the same interpretive practices that are the purview of jurists, which for its part draws on both scriptural sources—Qur'ān, *ḥadīth*, legal precedent—and legal theory (*uṣūl al-fiqh*). I recognize that this is a broad definition, but have chosen to cast as wide a net as possible, as I am primarily interested in how legal scholars evaluated, framed, and controlled an authority defined by criteria qualitatively different from their own—in this case specifically, the authority of scientists and scientific practices. Reflecting the questions posed to *muftīs* (those jurists who hand out *fatāwā*), the two main bodies of scientific knowledge considered in the collections of legal opinions examined here were astronomy/astrology and medicine. In the past decades, a substantial amount of scholarship has been published on the practice of astronomy and medicine in the Muslim world, as well as on the potential of writing social history through an investigation of legal

¹⁷ The formative period of Sunni law is generally held to have ended with the formation of the principal schools of law by the fifth/eleventh century. See Melchert, *The Formation of the Sunni Schools of Law*.

opinions (*fatāwā*).¹⁸ However, little to date has been written on science as an alternative discourse of authority within Islamic law, and in large part, this is understandable, for Muslim jurists comparatively seldom addressed the natural sciences.¹⁹ The following discussion is no more than a first step in the investigation of the place of science in the Islamic Law in the early modern period, because of both its preliminary nature and the scope of the material it surveys.²⁰ It does not answer Huff's question regarding the social status of law in the Muslim world during this period, but it seeks to sketch an outline of how further research might do so.

A final issue should be briefly addressed before we turn to the legal decisions themselves. In the popular press as well as in academic surveys, the tension between science and religion has often been characterized as being either between reason and revelation, or else between empirical evidence and scriptural authority. Such characterizations are insufficient and misleading in the present context. Instead, we find that when Muslim legal scholars challenge scientific authority, they tend—with some notable exceptions—to take oppositional stands regarding the ways in which empirical evidence should be interpreted, and with which particular empirical evidence is relevant to the question at hand, but not with the value of empirical evidence itself. In doing so,

¹⁸ Out of the many recent publications I have found the following especially useful: for astronomy, the work of D. King in general, and especially his *In Synchrony with the Heavens: Studies in Astronomical Timekeeping and Instrumentation*; and three articles by A.I. Sabra ("Situating Arabic Science: Locality versus Essence"; "Science and Philosophy in Medieval Islamic Theology: The Evidence of the Fourteenth Century; and "The Appropriation and Subsequence Naturalization of Greek Science in Medieval Islam.") For medicine, I have been especially influenced by Perho's *The Prophet's Medicine*, and I have found Pormann and Savage-Smith's recent synthesis (*Medieval Islamic Medicine*) quite useful. For notable efforts to write social history through an examination of *fatāwā*, see Masud, Messick and Powers, *Islamic Legal Interpretation, and Powers, Law, Society, and Culture in the Maghrib*.

¹⁹ The works of al-Burzulī, al-Wansharīsī, and al-Wazzānī comprise altogether more than 8,000 printed pages. In a survey of the indices to these volumes, I found no more than a few dozen references to astronomy, alchemy, and medicine. For passing references in the writings of al-Qarāfī to the "rational sciences" remaining outside the purview of law properly understood, and "scientific observation" playing an important role in establishing proper *taqlid*, see Jackson, *Islamic Law and the State*, 115, 128.

²⁰ This is especially true when we consider that not only are solely Mālikī sources being discussed here, but that large numbers of Mālikī *fatwā* collections remain to be published: see al-Hilah, "Classification of Andalusian and Maghribī Books of *Nawāzil*," and al-Ḥarbī, *Namādhij min juhūd fuqahā' al-mālikiyya al-maghāribā fī tadwīn al-nawāzil al-fiqhiyya*. I am indebted to Jocelyn Hendrickson for both these references.

the legal scholars are motivated by what we may call an ethical concern for both the spiritual and the physical well-being of the Muslim community.

Astrolabes and Revealed Law

In general, while Muslim jurists in the early modern period disapproved of interaction with astrologers and soothsayers, they valued the technical abilities of astronomers, whose calculations facilitated both establishing prayer times and the beginning of the lunar months, especially Ramadan.²¹ The work of David King in particular has shown how, with the creation of the office of timekeeper (*muwaqqit*) from—at the latest—the seventh/thirteenth century onwards, individual mosques in Egypt, al-Andalus and North Africa generally had religious officials who possessed sufficient astronomical knowledge to calculate the daily times of prayer, which varied according to time and place and could be notoriously difficult to establish for the noon and afternoon prayer, as well as on cloudy days.²² Based on King's work, A.I. Sabra has suggested that the study of astronomy in general may have declined in the early modern period even as it was "naturalized" and its study became restricted to an "instrumentalist" view to aid with the correct establishment of ritual activities such as prayer and fasting.²³ I will return to some of the implications of Sabra's—admittedly tentative—suggestion later on, but the first case discussed here seems initially to bear out his argument. Neither King nor Sabra, however, offers an extended consideration of the legal status of scientific inquiry in early modern Islamic society.

²¹ For an overview of astrology in premodern Islamdom, see Saliba, "Flying Goats." al-Wansharīsi includes an opinion of the respected Syrian scholar al-Nawawī (d. 676/1278) against visiting astrologers (*ityān al-munajjimīn*, see *Mi'yār*, 12:366–67). See also Ibn Khaldūn's remarks on astrology, as discussed in King, "On the History of Astronomy in the Medieval Maghrib." I am grateful to Professor King for sending me a copy of this article, which will appear in a forthcoming Variorum volume.

²² See most recently King, "On the Role of the Muezzin and Muwaqqit."

²³ Sabra, "The Appropriation and Subsequent Naturalization of Greek Science in Medieval Islam," 240. Huff cited this article of Sabra's in support of his own argument, and in his critique of Huff, Saliba argued that neither Sabra nor Huff had advanced enough evidence to prove that the "naturalization" of Greek science led to its decline. See Saliba, "Seeking the Origins of Modern Science?" and compare with his *Islamic Science and the Making of the European Renaissance*, 125ff.

Around the turn of the twentieth century, al-Wazzānī, the Moroccan author and compiler of the *fatwā* collection known as *al-Mi'yār al-jadīd*, was party to a serious disagreement regarding the role and authority of astronomical instruments in Islamic ritual.²⁴ His *fatwā* on this topic, taking up twenty-four pages and constituting the entire chapter on the call to prayer (*nawāzil al-adhān*), with its copious citations of Mālikī authorities, offers the reader a long and somewhat convoluted account of the difficulties of ascertaining the proper time for the call to prayer.²⁵ As such, it can be profitably read against Ebrahim Moosa's discussion and translation of the treatise by Aḥmad Muḥammad Shākir (1309–1377/1892–1958), written in 1939, on the permissibility of beginning the month on the basis of scientific calculation and not on an actual, visual sighting of the moon.²⁶ Both al-Wazzānī and Shākir conclude that astronomical calculations are necessary for the establishment of Islamic ritual and cite a long list of, respectively, Mālikī and Shāfi'ī authorities to substantiate their positions. Both authors also confront and refute contrary opinions in previous scholarship. Where they differ is that, while Shākir writes for a decidedly Salafī audience, al-Wazzānī, writing at the other end of the Arab world some decades before Shākir, situates himself within a purely Mālikī environment.²⁷ While Moosa argues that Shākir was, to some degree, trying to come to terms with the technological challenge of modernity, there is no explicit sign that al-Wazzānī was primarily reacting to anything more than a local disturbance in Morocco, for which he wished to find the appropriate legal response.²⁸

²⁴ I have not been able to find any references to this episode in the historical sources for the period.

²⁵ al-Wazzānī, *al-Mi'yār al-jadīd*, 1:215–39.

²⁶ Moosa, "Shaykh Aḥmad Shākir and the Adoption of a Scientifically-based Lunar Calendar." I am grateful to David Powers for this reference.

²⁷ While the term Salafī is quite complex in that it carries several distinct meanings, in this case it refers generally to those Muslims who in the nineteenth and early twentieth centuries believed that Islam needed to be reformed by rejecting the consensus of the four Sunnī law schools, and by engaging in a critical reexamination of Islam's scriptural sources. On the shifting relationship of the terms Wahhābī and Salafī, see Commins, *The Wahhabi Mission and Saudi Arabia*, 104–29.

²⁸ See Moosa, "Shaykh Aḥmad Shākir," 62: "In this instance, the existing social context not only impinges on the self-understanding of Muslims, but also forces jurists to re-read the religious texts in order to derive new meanings that are in harmony with the new context. Surreptitiously, a new juridical logic evolves and transplants itself onto existing practice, without hardly any acknowledgment of the occurrence of such changes—in itself a phenomenon insufficiently documented in the history of

al-Wazzānī's *fatwā* is long and, as is common enough for the genre, interspersed with numerous quotations from the works of jurists of previous generations. I focus here on those sections with implications for the legal status of astronomy. It begins as follows:

There was a debate (*mudhākara*) among a group of legal scholars regarding the Friday Prayer. One of them said: It takes place very late in Fez; it is desirable for its prayer to be at the beginning of the time, even if only in one mosque, so that the preacher begin the sermon following the *adhān* of only one *mu'adhdhin* [presumably as opposed to waiting for all the calls to end]. He stated that this was the way it had been in the Prophet's time. The others in the group did not agree with him.²⁹

After defending the custom of the people of Fez, and citing several authorities on the proper manner of sounding the call the prayer, al-Wazzānī relates that this argument became widespread among both scholars (*al-khāṣṣ*) and commoners (*al-'āmm*), and took on broader significance. He describes the party opposed to his own views as having no knowledge of the science of timekeeping (*'ilm al-tawqīt*), and says that the situation was only growing worse when an unnamed scholar rose up, seeking the approbation of the masses and supporting their stance:

He spoke to them with words from Khalīl's *Mukhtaṣar*, deluded into thinking that there was no knowledge, not even a little, that was greater than his own. He said to them: everyone ascertains the passing of dusk (*maghīb al-shafaq*), and only those who are stubborn and in denial could ignore its obvious nature. Time-keeping devices such as the astrolabe and others cannot be depended upon (*lā yu'awwal 'alayhā*), nor should one turn to them for knowledge of when the time [of prayer] begins.³⁰

The *Mukhtaṣar* of the Egyptian Mālikī Khalīl b. Ishāq al-Jundī (d. 749/1348 or 767/1365) was the standard legal reference work of the Mālikī

Islamic Law. Aḥmad Shākir, in the present instance, and other jurists who wrote on other issues, consciously or unconsciously interpolated Islamic law with the technology of modernity, creating thereby a desire for regularity and consistency in *fatāwā* or juridical responsa, a subject that needs to be addressed elsewhere." While I agree with Moosa's general observation on the challenge modernity has posed to Muslim scholars, I am wary of seeing every reinterpretation of Muslim law in the modern period as only or even primarily the result of their interaction with modernity. Doing so could easily obscure the fact that premodern Islamic jurisprudence contained numerous opinions that, while of use to Muslims today, are not the product of an engagement with developments in the twentieth century.

²⁹ al-Wazzānī, *al-Mi'yār al-jadīd*, 1:215.

³⁰ *Ibid.*, 1:217.

school after the eighth/fourteenth century, and while its importance is clearly reflected by the substantial commentaries devoted to it, it was primarily important due to its recording of the accepted consensus.³¹ As such, it may well have been the first reference a Mālikī jurist would turn to, but for an experienced jurist faced with a thorny problem, it would rarely be the last. Although Khalil fails to mention astrolabes or astronomy, in his chapter on prayer his description of how to ascertain the prayer times he refers only to a staff (*al-qāma*) and its shadow, while in his discussion of fasting, he warns against trusting astrologers (*al-munajjim*).³² al-Wazzānī quickly notes that he tried to find this individual to set him straight, but being unable to locate him, he decided to express his thoughts in writing in the *fatwā* at hand.

Knowledge of the times of prayer, it is clear, is mandatory for all believers, but following the authority of al-Ḥaṭṭāb (d. 954/1547), the author of a commentary on Khalil's *Mukhtaṣar*, al-Wazzānī makes it clear that, due to the difficulty of the matter, establishing these times is a collective and not an individual obligation.³³ Knowledge of how to calculate the time accurately, he argues, belongs to those who have a command of the astrolabe and who are familiar with the science of timekeeping.³⁴ al-Wazzānī backs this claim up, appropriately enough, by citing the empirical observations of a renowned *muwaqqit* of Fez, Imām al-Jādārī (d. 818/1415 or 839/1435).³⁵ Strikingly, al-Wazzānī does not simply rely upon the authority of specialists such as al-Jādārī, but enters himself into the discussion of specifics, explaining to his reader why the views of Abū 'Abdallāh b. al-Ḥabbāk (d. 867/1463) and Muḥammad b. Yūsuf al-Sanūsī (d. 895/1490) on the subject of the changing length of dusk are to be preferred to those of al-Burzulī.³⁶

³¹ On *mukhtaṣar* Khalil, see Fadel, "The Social Logic of *Taqlid*," and idem, "Adjudication in the Mālikī Madhhab," 262–65. Lohlker (*Islamisches Völkerrecht*, 124) has recently argued that Khalil's *Mukhtaṣar* didn't achieve its widely accepted status until the sixteenth century.

³² See al-Azharī, *Jawāhir al-iklil 'alā mukhtaṣar al-imām Khalil*, 1:32 (prayer), 145 (fasting). Since, as King has shown, the institution of *muwaqqit* was widespread in Mamlūk Egypt, it is curious that Khalil did not, at least in passing, refer to a more exact form of timekeeping.

³³ al-Wazzānī, *al-Mi'yār al-jadid*, 1:219.

³⁴ Ibid., 1:221.

³⁵ Compare Kaḥḥāla, *Mu'jam al-mu'allifin*, 2:106, with 2:113–14. Al-Wazzānī also cites a treatise on the astrolabe by a certain Abū Faḍl Dāniyāl al-Shāfi'i, whom I have not been able to identify.

³⁶ For Ibn al-Ḥabbāk, see Kaḥḥāla, *Mu'jam*, 3:114. The reference here is to his poem on the use of the astrolabe, *Bughyat al-ṭullāb fī 'ilm al-aṣṭurlāb*, on which al-Sanūsī wrote the commentary to which al-Wazzānī refers.

al-Wazzānī's sources reflect the complexity of the relationship between law, science, and theology (*kalām*) in the early modern Muslim world. al-Sanūsī's summation of Ash'ārī theology, *al-Muqaddimāt*, was widely read in the Maghrib until the modern period, yet he also wrote on the legitimacy not only of the astrolabe, but also of medicine. Although al-Sanūsī adamantly denied the existence of secondary causality in his theological writings—while affirming God's habit (*'āda*) of acting in a regular fashion—in his writings on medicine and astronomy, he supported the legitimacy and authority of non-religious sciences.³⁷ The compatibility of these various scientific pursuits, or perhaps more accurately the ability of early modern Muslim scholars to engage simultaneously in multiple intellectual discourses, should be emphasized, for it is precisely their incompatibility that scholars such as Huff have previously implied.³⁸

al-Wazzānī interrupts his list of quoted authorities to note that one of his opponents wrote to a scholar living in Rabat, Aḥmad b. 'Abdallāh al-Ghurfi, distorting the issue (*lam yufsiḥ 'an sharḥ ḥaqīqatihā wa-kunhihā bal awhama fī su'ālihi*) in order to receive an answer that would condemn the use of the astrolabe.³⁹ al-Wazzānī wrote to this scholar and clarified the nature of the argument to him, after which he received an answer which contained the following passage:

From the time that these instruments, the sine quadrant, the astrolabe and others, appeared in Islam and among its people, they were investigated, and it was found that the one knowledgeable in them, when proficient in their use (*idhā utqinat fī nafsihā*) benefited from the certainty [they brought]. It is necessary for someone who has no knowledge of them to follow someone who does have such knowledge (*taqlīd al-'ārif bihā*). One should act according to what he says, though it is necessary for him to exercise some caution when the sky and the horizon are cloudy. In this fashion is the action of the people of both east and west, as al-Ḥaṭṭāb has related from al-Qarāfi (d. 684 /1285) and others. No one

³⁷ On al-Sanūsī, see Stearns, "Infectious Ideas," 141–49. Historians have struggled with evaluating the influence that the general Ash'ārī denial of secondary causation may have had on evaluations of empirical evidence. For an example, see Stearns, "Infectious Ideas," *passim*.

³⁸ See Huff, *Rise*, 69–72, but also the cogent question of A. I. Sabra ("Situating Arabic Science, 664): "But there is no end to the questions that have yet to be answered.... And—the question of special importance for the historian of science—what was the effect of the *kalām* point of view on the dissemination and development of scientific disciplines such as cosmology and astronomy, about which the *mutakallimūn* had a lot to say as an integral part of their own worldview?"

³⁹ I have not been able to identify this scholar.

condemns reliance on instruments, save the ignoramus (*al-jāhil*) whose word has no weight (*lā 'ibra bi-qawlihi*).⁴⁰

al-Wazzānī notes that this is similar to what the Imām Sīdī al-Tāwudī b. Sūda (d. 1208/1793) had said on the use of the astrolabe having a basis in the revealed law, and in the next few pages he presents an array of authorities who similarly support the use of the astrolabe.⁴¹ It is clear, then, that there is no scholar of note of the Mālikī or any other school, who does not support the use of astronomy and the astrolabe for the purpose of bringing certainty to ritual practice.⁴²

Before finishing with his opponents, al-Wazzānī has one final objection to deal with: the blanket assertion that the use of the astrolabe has no basis in law, and that it is suspect due to its association with philosophy. To deal conclusively with this accusation, he turns to the work of the prominent Moroccan scholar al-Ḥasan al-Yūsī (d. 1102/1691), from whose *al-Qānūn* he quotes at length:⁴³

The answer to this is that there are philosophical sciences that are practiced in Islam, and it is correct that they be counted among the religious sciences due to the Law's benefit from them (*li-l-intifā' bihi fī-l-sharī'a*). The Shaykh Sīdī al-Ḥasan al-Yūsī, may God have mercy on him, has mentioned in his book *al-Qānūn* the science of timekeeping (*'ilm al-tawqīt*) as one of the Islamic sciences. Concerning it he said: It is one of the sciences of the ancients (*min 'ulūm al-awā'il*) such as the science of logic and the like. As for its being an Islamic science (*fī ma'nā kawnihā islāmiyyatan*): it is practiced in the Islamic community, which benefits from it in its religious practice (*fī dīn al-islām*), either directly or in a mediated fashion. It is also legally valid (*shar'iyya*), and what is established (*al-mashhūr*) is to grant the title of legal validity to a matter in both its essence and associated subjects.

⁴⁰ al-Wazzānī, *al-Mi'yār al-jadīd*, 1:223.

⁴¹ A scholar of Fez, Ibn Sūda wrote a marginal commentary on al-Zurqānī's (d. 1122/1710) commentary on Khalīl's *Mukhtaṣar*. See Kaḥḥāla, *Mu'jam*, 3:363. The authorities cited by al-Wazzānī, besides those already mentioned, include 'Izz al-Dīn b. 'Abd al-Salām (d. 660/1262), al-Ghazzālī (d. 505/1111) and al-Māzarī (d. 536/1141). The *fatwā* later cites the support of the following scholars: Ibn 'Arafa (d. 803/1401), Muḥammad al-Raṣṣā' (d. 886/1481), and al-Maqqarī (d. 1041/1631). All of these except Ibn 'Abd al-Salām and al-Ghazzālī were of the Mālikī *madhhab*.

⁴² While I do not doubt that the majority of Mālikī authorities shared al-Wazzānī's view, he may well have omitted inconvenient exceptions. By contrast, Moosa ("Shaykh Aḥmad Shākir," 62, 76) notes that while the famed Shāfi'ī scholar Taqī al-Dīn al-Subkī (d. 756/1355) accepted the use of calculations, the possibly even more famous Ibn Ḥajar al-Asqalānī (d. 852/1448) and Ibn Taymiyya (d. 728/1328) rejected them.

⁴³ I have not been able to locate all of the passages quoted here, but see al-Yūsī, *al-Qānūn fī aḥkām al-'ilm*, 274.

He says in another place...I count those [sciences] as belonging to Islam whose benefit has spread and the utility of which has grown great: along with the aforementioned [sciences] such as logic and accounting, [I count] and what is needed of astronomy (*'ilm al-hay'a*) and geometry...

The speech of this shaykh, may God be content with him, has indicated that what benefits Islam is not lessened by having a source other than Islam (*lā yaqdaḥ fīhi kawna aṣl waḍi'hi bi-ghayr al-islām*). It has been said: the inventor of the astrolabe was the prophet of God, our Lord Idrīs, may the prayer and peace [of God] be upon him and our Prophet. So let him who has no knowledge of this take care not to place his tongue in a place where it should not be, as we have related regarding one of the ignorant deniers, that he said concerning the rejection (*tanfīr*) of these time-keeping instruments as being of the science of the Christians, may God destroy them, and that mechanical clocks (*al-majānāt*) and their like are similar. None of this is to be trusted. Such a one as he is ignorant of the fact that reliance upon something is [to be evaluated] according to its benefit, not according to its location or its creator.⁴⁴

al-Wazzānī's final paragraph shows that he is well aware that, by adopting technology in late nineteenth and early twentieth-century Morocco, one opens oneself to the accusation of mimicking the colonialist Europeans.⁴⁵ Nonetheless, he clearly rejects such a shallow, not to mention ironic, accusation, and in the last pages of his *fatwā* he emphasizes that for testimony concerning the correct prayer time to be accepted, the observer must be experienced.⁴⁶

The Limits of Beneficiary Science

In the *Mi'yār* of al-Wansharīsī, we find a *fatwā* of the renowned scholar Qāḍī 'Iyāḍ (d. 544/1149) that can productively be read against

⁴⁴ Wazzānī, *al-Mi'yār al-jadīd*, 1:227–28. It is striking that after marshalling the above arguments, al-Wazzānī still finds it necessary to posit a Muslim origin for the astrolabe. For a comprehensive discussion of other origins ascribed for the astrolabe in medieval Islamic sources, see King, "The Origin of the Astrolabe," esp. 45 (on the popular attribution of the invention of the astrolabe to Idrīs/Enoch). Finally, for a discussion of the term *al-majāna*, see García Gómez, *Foco de antigua luz sobre la Alhambra*, 82–85. I am grateful to Mercè Comes and David King for this reference.

⁴⁵ An interesting parallel to al-Wazzānī's dilemma can be found in the treatise on the plague by the Algerian Ḥamdān b. 'Uthmān Khoja (d. ca. 1258/1842), *Ithāf al-munṣifin wa-l-udabā' fī al-ihtirāz 'an al-wabā'*, arguing for the necessity of the quarantine, despite its alleged European provenance. See Stearns, "Infectious Ideas," 232–33.

⁴⁶ al-Wazzānī, *al-Mi'yār al-jadīd*, 1:231–32.

that of al-Wazzānī. It differs from the discussion of astronomy that we have just mentioned, in that instead of addressing a situation in which science is used directly in the service of Islamic Law, it instead examines a case where the authority of astronomers problematizes ritual practice.

In Khalīl's *Mukhtaṣar*, compiled some two centuries after Qāḍī 'Iyāḍ's death, the author described the necessity of praying during an eclipse, a practice that had a firm basis in the Mālikī school as well as in Prophetic tradition.⁴⁷ With this subject in mind, 'Iyāḍ's questioner expressed a certain amount of anxiety regarding the claims made by astronomers that they could foretell both eclipses and their length:

He [Qāḍī 'Iyāḍ] was asked about the eclipses of the sun, regarding the fact that the Prophet, may God bless him and grant him peace, had ordered at their occurrence prayer, invocations, the freeing of slaves, giving of alms, fear, and supplication. He [had] said: "[Pray] until what is in you [of fear] is removed (*ḥattā yukshaf mā bikum*)". There is no doubt that what he ordered is the truth, and that it [the eclipse] is one of the signs of God. This is what the people of the Sunna follow. Yet we see astronomers (*ahl al-ḥisāb wa-l-nujūm*) stating that they perceive the eclipse before it occurs, saying: "It occurs by itself, at such and such a time." It is well known that this is knowledge acquired through calculation, and that it happens due to an association (*iqtirān*), which they claim is between the stars in their respective spheres (*fī aflākihā ba'duhā bi-ba'd*). How can this be reconciled for the astronomers with the ordained fear and supplication [at the time of the eclipse], with its being an affliction that has descended upon people, and with their being ordered to engage in supplication until they are free of reprehensible types of things? There is no fright in them at such a time, no fear, for they say: We know when it will occur. Is there a way to reconcile the two matters? If we declared their statement void in its entirety, something would remain in the soul due to their accuracy (*iṣābatihim*)...and if what they say is not declared entirely false, and we support them in this matter being reachable through calculation, then where is our fear for our safety? Where is the fear that was ordered for us?... Indeed, what is sought after from this is how can we pray for the occurrence of the end of the eclipse (*fī injilā' al-kashf*), with their telling us the time when it will occur and when it will end, and with them possibly being correct

⁴⁷ al-Azhārī, *Jawāhir al-iklāl*, 104–5. There are numerous traditions in Bukhārī and Muslim which link eclipses to visions of the Day of Judgment, while denying that they are related to the death of individuals.

in this. How can this be reconciled? Clarify for us what knowledge you have regarding this, may you be rewarded, God willing.⁴⁸

The query puts 'Iyāḍ in a difficult position, for not only does there seem to be tension between the Prophetic tradition and the astronomers, with the former arguing that eclipses evoke fear, and the latter claiming to be able to predict their occurrence, but there is also the potential that the astronomers' claims could adversely affect the piety of the Muslim community.⁴⁹ At the beginning of his response, 'Iyāḍ seems to dispute the validity of astronomical predictions of eclipses in an absolute fashion, denying that the astronomers' proofs can reflect what God alone knows (*'ilm al-ghayb*). Yet this is a discursive move, one that functions to set his questioner at ease regarding the authority of astronomers: it is at best conditional, and not absolute.⁵⁰ 'Iyāḍ then goes on to admit cautiously that astronomers can rely upon the habitual experience of a competent observer (*'āda jarrahahā mutamakkin*) in their observations, even though their proofs do constrict the common good of the Muslim community (*al-maṣāliḥ*). In this context, the latter presumably refers to the effects of prayer and the act of relying upon God. While 'Iyāḍ notes that leading scholars generally dispute the knowledge of astronomers regarding eclipses, he also cites the exception of the prominent jurist Abū al-Walid Ibn Rushd (d. 520/1126), whose *al-Bayān wa-l-taḥṣīl* was possibly the single most comprehensive reformulation of Mālikī *fiqh* in the post-formative period of Islamic jurisprudence.⁵¹ Ibn Rushd had no objection to the views of the astronomers, argues 'Iyāḍ, because he saw no contradiction between them and the Prophetic tradition. After all, notes 'Iyāḍ, we certainly don't believe that the appointed prayers cause the eclipse to end, even though the goal of the prayer is to put an end to the eclipse. No, the true benefit of the prayer is the acknowledgment of

⁴⁸ al-Wansharīsī, *Mi'yār*, 11:259.

⁴⁹ It is worth noting that this case is distinctly different from the eighth/fourteenth-century instance when Ibn al-Khaṭīb (d. 776/1374) famously challenged the validity of any Prophetic tradition that would place the Muslim community in peril. See Stearns, "Contagion in Theology and Law," *passim*.

⁵⁰ The parallels with the case of contagion are again striking, for while few if any Muslim jurists admitted the existence of contagion, many affirmed the transmission of disease. See Stearns, "Infectious Ideas," Chapter 5, and Conrad, "A Ninth-Century Muslim Scholar's Discussion of Contagion."

⁵¹ On the status of *al-Bayān wa-l-taḥṣīl*, see Fernández Félix, *Cuestiones legales del Islam temprano*.

the eclipse as one of the signs of God, the intensity of fear felt during the prayer, and the recognition of God's omnipotence.⁵² In the end, 'Iyād finds a balance between assuring his questioner that astronomical knowledge doesn't threaten religious practice, and acknowledging the ability of astronomers to accurately perceive God's habit, the existence of such a habit being a central concept in Ash'ārī theology. To be sure, the *fatwā* is not a ringing endorsement of the need for scientific research; yet, strikingly considering the way in which the question was framed, it does support the compatibility of religious law and astronomical knowledge.

Law and Medicine: of Alchemists, Lepers and Tobacco

The practice of medicine appears in the *fatwā* collections in a decidedly different fashion from astronomy, relating in part to a concern for the legitimacy of doctors as qualified witnesses. Not only is the authority of medical knowledge addressed, but also the question of whether the pursuit of medicine affects the status of the practitioner as a witness, i.e., does an interest in a specific art in and of itself constitute a moral flaw which invalidates anything the practitioner might say? It should be emphasized here that jurists saw themselves as the guardians of Muslim society, and that they were well aware of the activities of charlatans, astrologers, and tricksters, who would falsely present themselves to society as legitimate authorities.⁵³ Still, we should not imagine jurists as invariant killjoys, for while being wary of the practice of magic, on occasion they tolerated illusionists as well as the writing of amulets.⁵⁴ As the boundaries between astrology and astronomy, between magic and medicine, were not always clear, jurists had to be

⁵² al-Wansharīsī, *Mi'yār*, 11:260–61. Included in this fear is the awareness that the eclipse may be a sign of the end of time. In structuring his argument, 'Iyād cites both Abū Bakr ibn al-'Arabī (d. 543/1148) and Abū al-Qāsim al-Muhallab (d. 436/1044); see 'Iyād, *Tartīb al-madārik*, 2:751–52).

⁵³ See Saliba, "The Role of the Astrologer in Medieval Islamic Society," and Porrmann, "The Physician and the Other: Images of the Charlatan in Medieval Islam."

⁵⁴ See al-Burzuli *Fatāwā*, 1:380–82, for an example of juridical tolerance of entertainment: in this case, a group of players would pretend to cut off an actor's head, and then make the head speak to them.

careful not only to protect believers' health and wealth, but also to shield them from all forms of polytheism.⁵⁵

In this context, the character of the practitioner and the way in which he uses his knowledge were understood to be as important as the status of the art itself. In al-Wansharīsī's chapter on giving testimony (*al-shahādāt*) the following question addressed to Qāḍī 'Iyāḍ, illustrates this:

He ['Iyāḍ] was asked about the practice of alchemy (*ṣinā'at al-kīmyā*), whether it is permitted (*hal hiya min bāb al-jā'iz aw min bāb al-mustahil*), and whether or not the one practicing it (*tālibuhā*) was to be forbidden [from doing so], and whether or not its practice invalidated (*yaqdaḥu*) the testimony of its practitioner.⁵⁶

'Iyāḍ immediately affirms that alchemy is indeed a legitimate science, dealing with the making of glass and the analysis of pearls. His authorities here are unnamed doctors, and he notes that he has dealt with this subject at greater length in a separate work.⁵⁷ Turning to what he perceives to be the root of the question, 'Iyāḍ denies that alchemy can be linked in its essence to the practice of forging money. Such examples of fraud do not invalidate the efforts of expert practitioners of the science, who in general test the abilities of possible charlatans or hucksters in their profession. al-Wansharīsī, the editor, juxtaposes this clear endorsement of alchemy's legitimacy with the opinions of two prominent scholars, Ibn 'Arafa (d. 803/1401) and Abū al-Ḥasan 'Alī b. al-Muntaṣir (d. 742/1341), the first of whom had stated that the testimony of practitioners of alchemy was similar to that of those who sell sets of backgammon, drums, and pipes, and that it was therefore not valid; al-Muntaṣir, for his part, had stated that such a person wasn't permitted to lead the prayer.⁵⁸ The reader is left in the not unusual position of having to choose between conflicting opinions of

⁵⁵ The central issue here is causality, and the importance of not believing that anything other than God could cause anything to occur. How difficult this could be is seen in the example of prayers or spells: if these were written in Arabic they were considered safe, and al-Burzulī mentions (*Fatāwā*, 1:380–82) that his own teacher (possibly Ibn 'Arafa) would write certain names on paper, mix the paper with chicken eggs, cook the mixture and eat it. If, however, the words were written in a foreign language, then the object of invocation was unclear, and the act was disapproved, if not forbidden.

⁵⁶ al-Wansharīsī, *al-Mi'yār al-jadīd*, 10:155.

⁵⁷ I have not been able to identify this source.

⁵⁸ al-Wansharīsī, *al-Mi'yār al-jadīd*, 10:155.

prominent jurists, two of whom had cast doubt on the character of the practitioner of alchemy, and thus implicitly on the art itself.

In the case of medicine, the situation was clearer. In general, jurists acknowledged, though often only in passing, the expert testimony of a doctor regarding the nature of a disease or the state of a person's health. I have shown elsewhere how jurists generally acknowledged the transmission of disease in the case of leprosy, while often denying it in the case of the plague.⁵⁹ In the latter case, instead of rejecting the value of empirical evidence or the authority of doctors, jurists argued for alternative explanations of empirical observations that reflected the complexity of contemporary medical plague etiologies.⁶⁰ This was the case with the two *fatwās*, also collected by al-Wansharīsī, of the eighth/fourteenth-century Granadan jurist Ibn Lubb (d. 782/1381) who argued that Muslims should not abandon the sick in times of plague, as there was no conclusive evidence that it was transmitted by contact.⁶¹ To be sure, there were jurists such as Tāj al-Dīn al-Subkī (d. 771/1369), who argued that if two doctors testified that a specific plague victim was a potential cause of harm to others, he should be avoided. In giving doctors such authority in the case of plague, al-Subkī was, however, in the minority.⁶² With leprosy, on the other hand, a disease that was widely held to be a legitimate cause for divorce, the opinion of doctors was seldom disputed.

A particularly striking example of the acknowledgement of medical authority is found in al-Burzulī's collection of legal opinions, where he includes a *fatwā* from Ibn al-Ḥājj (d. 737/1336) on the value of a doctor's opinion on the presence or absence of leprosy:

Of the questions [treated by] Ibn al-Ḥājj is also the following case: Doctors testify regarding leprosy that is present before the date of the marriage contract, as [other witnesses] testify concerning a sale. There is no

⁵⁹ See Stearns, "Infectious Ideas," Chapters 1 and 3, *passim*. As always, there were notable exceptions, such as Ibn Rushd (d. 520/1126) denying the contagious nature of leprosy: see "Infectious Ideas," 114–16.

⁶⁰ There were notable exceptions, including the renowned and influential Egyptian jurist Ibn Ḥajar al-ʿAsqalānī, who wrote a long treatise on the virtues of the plague—death from which could lead to martyrdom—and how it was caused by *jinn*. See Stearns, "Infectious Ideas," Chapter 5.

⁶¹ I have discussed these *fatwās* at length in "Contagion," *passim*.

⁶² See Stearns, "Infectious Ideas," 215ff. al-Subkī was also decisively refuted by Ibn Ḥajar in the latter's treatise less than a century later. This refutation may—I speculate—have resulted in al-Subkī's treatise on the plague remaining extant only in citations in other works.

oath needed from the spouse to confirm this, nor is the matter open to dispute, as [is the case] when dispute occurs with his oath at the giving of testimony. (This is) because the judgment provided by the testifying of doctors has long been a definitive judgment (*ḥukm bi-l-qaṭ' bihi 'alā-l-qidam*).⁶³

Yet, even while acknowledging the legal authority and value of medical testimony, jurists were concerned with controlling this testimony, either by investigating the qualifications of individual practitioners, or by presenting themselves as medical authorities in their own right. To be sure, many jurists had also studied medicine—though few of them may have had any actual clinical experience—but here I am interested in the ability of jurists to present medical knowledge as transmissible within legal circles without the presence of an actual doctor.

In al-Burzulī's *Fatāwā* we find an interesting example of how, while acknowledging the authority of medicine, a jurist could challenge that of the doctor. The scholar involved was al-Māzarī (d. 536/1141), a respected Mālikī.⁶⁴ The query reads as follows:

al-Māzarī was asked about someone who had married his virgin daughter [to a man]. The husband asked if he could have intercourse with her (*al-dukhūl bihā*) and the father claimed that on his [the husband's] body there was leprosy (*baraṣ*). They took the case to a judge, and he sent two doctors, one of them a *dhimmī* [a Christian or a Jew living under Muslim rule] who testified that there was on his body leprosy regarding which there could be no doubt (*lā yashukkūna fīhi*). Does the wife have a choice [of sleeping with her husband] or not? And is the word of a non-Muslim to be accepted?⁶⁵

In his answer, al-Māzarī stresses the necessity of the examining doctor being competent, and carrying out his investigation of the alleged leper's body in a thorough fashion. If he is incompetent (*qaṣīr al-bā'*),

⁶³ See al-Burzulī, *Fatāwā*, 2: 287. Compare with the view of Ibn Rushd: "The word of the doctor is valid in what is asked of him by the judge, concerning what is specific to the knowledge of the doctors even if he is not of moral probity (*ghayr 'adl*), or is Christian, if there is no one else to be found. The preference is for two persons of moral probity" (al-Wansharisī, *Mi'yār*, 10:17). A similar (anonymous) opinion acknowledging the authority of doctors to ascertain leprosy can be found at *Mi'yār*, 7:341–42. Wansharisī also records the opinion of Ibn Lubāba (d. 330/942), who cites the ability of doctors to ascertain whether a sickness is life-threatening or not (*Mi'yār*, 10:294). On the position of lepers in Medieval Islamic society in general, see Dols, "The Leper in Medieval Islamic Society."

⁶⁴ al-Māzarī also wrote an influential work on prayer, in which he had defended the use of the astrolabe. See his *Sharḥ al-talqīn*, 1:386–88.

⁶⁵ al-Burzulī, *Fatāwā*, 2:338.

then this will obviously not do. al-Māzarī is clear about how one can diagnose leprosy:

Is this or is this not a case in which there is a smell, which in connection with sitting or lying together has a clearly harmful effect? If they say: there is no smell, then test his place (of affliction) with the head of a needle. If it changes and its color becomes red, blood appearing in the area, then it is not leprosy, and the woman has no say in it. This is the word of the authorities among the doctors (*qudamā' al-aṭibbā'*), and I don't know of a stronger (*awthaq*) position than this.⁶⁶

Immediately after affirming the authority of doctors of previous generations, al-Māzarī attacks the practitioners of his own day, claiming that there are no longer any doctors of any note. In part, this is certainly representative of a broader anxiety regarding the possibility of charlatans exploiting believers by posing as doctors. Yet, al-Māzarī's concerns are more specific. For him, it is not so much a question of charlatans, or a doctor's religion, as whether a given doctor acknowledges the medical position presented by al-Māzarī.⁶⁷ If a doctor follows the criteria laid out by al-Māzarī, then it is simply a matter of sensory perception and deduction (*amr ḥissī ḍarūri*). If a doctor gives different criteria, backing it up with citations, then he is permitted to do so, but his trustworthiness must be investigated by a judge. al-Māzarī then proceeds to deny the phenomenon of contagion, while affirming that proximity to lepers is harmful, a differentiation made at least as early as Ibn Qutayba (d. 276/889).⁶⁸ While affirming the veracity and authority of medical opinion, al-Māzarī has managed to appropriate medicine's authority as a discipline to an extent not seen in al-Wazzānī's discussion of astronomy above.⁶⁹

⁶⁶ Ibid.

⁶⁷ Not all jurists were as generous with regard to religious identity. Ibn al-Hājj, whose support of the authority of doctors was cited above, was particularly vicious on the subject of Jewish doctors (Ibn al-Hājj, *Madkhal*, 4:107–15, 140–50).

⁶⁸ Ibid. On Ibn Qutayba, see Conrad, "A Ninth-Century Muslim Scholar's Discussion of Contagion." For a discussion of why the concept of contagion (as opposed to disease transmission) was rejected by many jurists, see Stearns, "Infectious Ideas," Chapter 1.

⁶⁹ Another example of a legal scholar appropriating the authority of medical knowledge can be found in al-Wansharisī's denial of the permissibility of abortion (*isqāt al-janīn*), in which, while giving a detailed discussion of the process of gestation, he cites only legal authorities (*Mi'yār*, 3:370). This example should be compared with the opinion of al-Mawwāq (d. 897/1492) on both *coitus interruptus* and abortion (*Mi'yār*, 4:235–36). In both cases, Wansharisī appends the views of Ibn al-'Arabī (d. 543/1148) to the initial opinion, and refrains from citing the views of doctors. On abortion in

A final intriguing example of the invocation of the authority of medical science is found in an unfortunately anonymous legal opinion on the permissibility of smoking.⁷⁰ While the unnamed scholar grants the opinion of medical experts full authority, the opinion is of additional interest due to its explicit admission of the case of tobacco being without precedent. The question itself is curious: in the case of a sick man who, with the help of God, has managed to stop smoking, is he unconditionally permitted to smoke for medical purposes (*hal yajūz lahu ta'āṭihu muṭlaqan*) or only when he doesn't feel a need to smoke? The questioner has addressed two issues here: the medical value of smoking tobacco and the problem of addiction. Before addressing these, the *muftī* reflects on the desirability of smoking:

Smoking [tobacco] did not exist in the time of the Prophet, nor in the time of the Rightly-Guided Caliphs after him, nor in the time of the Companions or the Followers, nor for the four Mujtahid *imams* or their companions. Instead it occurred in the tenth century [of the hijra], the scholars of which differed then and afterwards. Of them there was he who gave a *fatwā* for it to be forbidden, there was he who gave a *fatwā* on its being reprehensible, and he who gave a *fatwā* on its being permitted. Each one of these sought in his *fatwā* indications [to support his argument]. This is one of the issues in which there is doubt (*al-mushabbahāt*), regarding which the Prophet said: 'Whoever is on his guard against them, preserves his religion and honor (*istabra'a li-dīnihi wa-'irḍihi*).'⁷¹ So it is piety to refrain from it, and it is recommended to refrain from it, and one should trust in what is recommended (*nadhr al-mandūb yajib al-wafā' bi-hi*). So know that this person should not ingest it, due to the Prophet's warning that avoiding it is recommended, and considering that (*mu'allaqan*) the cure had already taken place. It is necessary for him to have faith in the Prophet's warning.⁷¹

Our jurist is clearly skeptical of the claim that tobacco has medical properties, for he warns of the recovering addict's desire for smoking, and then notes that the foremost physicians (*ḥudhdhāq al-aṭibbā'*) have decried the possibility of any good coming from smoking, stating

Islamic thought, see Katz, "The Problem of Abortion in Classical Sunni *Fiqh*" (with a brief discussion of al-Mawwāq's *fatwā*), and Musallam, *Sex and Society in Islam*.

⁷⁰ Surprisingly little has been written on the status of smoking in Islamic law. For a discussion of two treatises from the sixteenth and seventeenth centuries on tobacco, neither of which invokes the authority of medical knowledge, see Klein-Franke, "No Smoking in Paradise." For an overview of the status of drugs in *shari'a*, in which the author unfortunately does not discuss tobacco, see Opwis, "Schariarechtliche Stellungnahmen zum Drogenverbot."

⁷¹ al-Wazzānī, *al-Mi'yār al-jadīd*, 2:554.

that it instead causes sicknesses that could not be acquired otherwise. Smoking, he argues, “is the sickness for which there is no medicine except giving it up and renouncing it, like the whispering of the accursed Satan”.⁷² Unfortunately, without more knowledge about the author, it is difficult to know which medical experts he had in mind when writing his opinion.

Conclusion: Towards a Definition of a Public Discourse on Science

Here I will simply assert, but later will argue, that much of our sense of the world’s contents and inductive regularities is built up and protected by the constitutively moral processes by which we credit others’ relations and take their accounts into our stock of knowledge about the world.

To trust people is to perform a moral act, proceeding on the basis of what we know about people, their makeup and probable actions with respect to our decisions. Insofar as knowledge comes to us via other people’s relations, taking in that knowledge, rejecting it, or holding judgment in abeyance involves knowledge of *who these people are*... What of relevance to credibility assessment do we know about them as individuals and as members of the same collectivity?

Stephen Shapin, *A Social History of Truth*⁷³

In the past decades, the work of Stephen Shapin has been influential in rethinking the nature of the scientific revolution in Western Europe, and in offering a productive sociological perspective on how and when seventeenth-century scientists chose to believe their colleagues. To be sure, Shapin benefited from being able to build on the tremendous amount of scholarly attention previous generations of scholars had devoted to this period in European intellectual history. Scholars of the early modern Muslim world find themselves in a decidedly less advantageous position, especially regarding the ways in which the natural sciences were discussed by Muslim intellectuals active in law, mysticism, theology, and philosophy during the period from the fifteenth to the nineteenth centuries, a period that includes what European historians often call “early modern.” To reiterate an oft-heard lament, many of our sources, insofar as they exist or have been identified, continue

⁷² Ibid.

⁷³ Shapin, *A Social History of Truth: Civility and Science in Seventeenth-Century England*, 8, 38.

to languish in manuscript or have been published too recently to have attracted substantive comment.

In this brief essay, I have argued that, as part of a larger project of investigating the status and place of science in the Muslim world, it is both productive and valuable to investigate the legal status of science during the period in question. Though the legal opinions of the scholars here are far from univocal, their discussions of astronomy, alchemy, and medicine repeatedly show an ability and desire to support science's legitimate authority, while ensuring that it not be understood in a fashion that would challenge proper piety. No conclusive generalizations can be drawn from these few opinions, however intriguing they may be. Above all, the substantial chronological range of material drawn upon here, comparing *fatwās* from over almost a thousand years, suggests that a much larger number of legal opinions would need to be included in future studies in order to ascertain general attitudes which may have characterized given generations of scholars. In addition, the *fatwās* discussed here and others like them should be discussed in connection with works traditionally assigned to other scholarly genres, such as Sufism, theology and philosophy. The example given above of al-Yūsī is especially instructive. Here, an author of works on law, mysticism, theology, and *belles lettres* argues in broad terms that the pursuit of all knowledge that benefits the Muslim community is legitimate and should be pursued.⁷⁴ Such an example suggests that Sabra's tentative suggestion that science in the Muslim world may have in part declined as it became "naturalized" needs revision and emendation.

As mentioned in the introduction, the scholarship of the past few decades has demonstrated that Islamic law remained dynamic and flexible after the formation of law schools in the fifth/eleventh century. This flexibility is well illustrated in the *fatwās* examined here, with individual jurists drawing creatively on both legal and scientific precedents in order to craft authoritative opinions that reflect both the jurists' interpretation of the intention of the scriptural sources, and the exigencies of the Muslim community. Yet, while the old stereotypes of Islamic law's static or arbitrary nature can now be safely discarded, all too often scholars continue to treat developments in legal discourses

⁷⁴ For al-Yūsī's exceptional views on *kalām* and the problem of contagion, see Stearns, "Infectious Ideas," 149–50.

in isolation, not considering possible relationships of mutual influence with developments in, for example, *kalām* or Sufism. An accurate understanding of science during the early modern period will only be attained when our understanding of all the facets of the period's intellectual history are considerably deepened. Only in this manner can we begin to move towards what Stephen Shapin has referred to as "a moral history of scientific credibility" with regard to science in the early modern Muslim world, and hope to come to a better understanding of how authoritative knowledge was constructed, not solely in the written records of the legal or scientific realms, but also in the public spheres where both were discussed and debated.⁷⁵

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⁷⁵ Shapin, *A Social History of Truth*, xxix.

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IV. REINTERPRETATIONS AND TRANSFORMATIONS

“I HAVE SEEN THE PEOPLE’S ANTIPATHY TO THIS
KNOWLEDGE”: THE MUSLIM EXEGETE AND HIS AUDIENCE,
5TH/11TH–7TH/13TH CENTURIES*

Karen Bauer

Ḥajjī Khalifa, in his seventeenth-century compendium of works, says that *tafsīr* is “the noblest of sciences, and the greatest of them.”¹ But today’s scholars have debated whether the genre of *tafsīr* was central to pre-modern Muslim intellectual life, or marginal to it.² In the introduction to his work of *tafsīr*, al-Ṭabarī (d. 311/923) asserts that no one can be properly warned by the Qur’ān who does not understand it; thus, knowledge of the meaning of the text, and not just its words, is necessary for all Muslims.³ His assertion serves to justify the writing of a work of exegesis, yet it leaves room for doubt as to whether he meant for such a work to appeal to a broad audience. Exegesis of the type that everyone should know is the explanation of the verses of the Qur’ān; it occurs in many genres and could be said to be at the heart of most writing in the religious context. Works of *tafsīr*, however, obey particular genre constraints, which affect their content: these include the citation of authorities, who often have differing opinions on the meaning of the verse, and lengthy grammatical explanations.⁴ These elements often read as scholarly discussions for specialists.

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¹ Ḥajjī Khalifa, *Kashf al-Zunūn*, 1:327.

² Bruce Fudge, for instance, asserts that *tafsīr* was either marginal or subordinate, and that no scholars were known exclusively as exegetes. Fudge, “Qur’anic Exegesis in Medieval Islam and Modern Orientalism.” However, it should be noted that few scholars mentioned in *tabaqāt* works carried one mantle exclusively.

³ al-Ṭabarī, *Jāmi’ al-bayān ‘an ta’wīl āy al-Qur’ān*, 1:11.

⁴ Norman Calder, in “Tafsīr from Ṭabarī to Ibn Kathīr: Problems in the Description of a Genre,” has identified the formal characteristics of the genre of *tafsīr* up to Ibn Kathīr as including the canonical text of the Qur’ān, segmented in canonical order, and passages of comment on the text; the citation of authorities “and the subsequent

Walid Saleh has made one of the only attempts to characterize *tafsīr* by its function in the community: he has divided *tafsīr* into the sub-genres of “*madrasa*” and “encyclopedic.”⁵ According to him, the encyclopedic commentary’s function in the community was to consolidate the polyvalence of Sunnī thought, while the *madrasa* style commentaries were a “shorthand summary of the encyclopedic commentary,” useful for debate and discussion.⁶ It is true that works of *tafsīr* were used in scholarly lessons both within and outside of *madrasas*. But Saleh’s categorization raises some important questions, including the question of whether a binary distinction is an adequate characterization of this complex genre, and whether there was a non-specialist audience for works of *tafsīr*. These questions address the relationship between the form and the function of works in this genre. In this paper, I offer a preliminary assessment of whether any *tafsīr* works from the eleventh and twelfth centuries were intended for, and used by, a non-specialist audience.

The material in the introductions to works of *tafsīr*, sermons and works of exegesis, examined in sections one and two of this paper, gives the strong impression that exegetes intended for their works of *tafsīr* to be read by different levels of scholar. Though they insisted on writing works for different levels of audience, I argue that they did not intend for *tafsīr* works to appeal to a broad, popular, non-learned audience. In the final section of this paper, I examine the *tafsīr* works in the catalogue of a 13th-century Damascene library, which, it seems, was for learned patrons who were not necessarily specialists in the religious sciences. The *tafsīr* works in this library are chiefly characterized by a bias towards medium-length or short works by eleventh and twelfth century authors from Khurāsān. This library gives a hint of which works may have been intended as essential to a basic education for non-specialists, which works were most widespread, and which authors the most highly prized.

polyvalent reading of the text”; and the measuring of the text of the Qur’ān against the instrumental structures of orthography, lexis, syntax, rhetoric, and symbol/allegory, and against the ideological structures of prophetic history, theology, eschatology, law, and *taṣawwuf*.

⁵ Saleh, *The Formation of the Classical Tafsīr Tradition: the Qur’ān Commentary of al-Tha’labī*, 16–17.

⁶ *Ibid.*, 21.

1. A typology of *tafsīr*?

The introductions of works of *tafsīr* reveal that exegetes of the eleventh and twelfth centuries had a deep concern to present their work according to a hierarchy of knowledge. They speak about the technical difficulty and the length of their works, and often assert their own level of scholarship, and that of their intended audience. Exegetes explain that they should be entrusted with the task of writing works of *tafsīr* because they have the necessary skills; their intended audience is usually composed of people who lack or are deficient in such skills. According to al-Thaʿlabī (d. 427/1035), “I have seen the people’s clear antipathy to this knowledge, and the paucity of their interest in research on this matter, and their distasteful predisposition against looking into the basic facts.”⁷ That is why he must write a compendium in which *he* gathers together the necessary knowledge, because his intended audience is not capable of doing so.

Here “the people,” al-Thaʿlabī’s intended audience, should not necessarily be understood as the general populace: the general public would not be expected to undertake research, but to be instructed. “The people” probably refers to a lower order of scholar than al-Thaʿlabī himself. His complaints about this lower order of scholar must in some sense be rhetorical, a literary device adopted by several exegetes in this period, including al-Thaʿlabī’s student al-Wāḥidī (d. 468/1075) and the Shīʿī al-Ṭūsī (d. 460/1067). But disregarding the insulting language reveals a kernel of truth, in that it was al-Thaʿlabī’s aim to write an encyclopedic work that was still comprehensible and easy to use.⁸ In so doing, he was creating a contrast to the work of al-Ṭabarī, whose work was of a much more rarefied register. Even these two encyclopedic commentaries are written at different levels, corresponding to a slightly different intended audience.

Al-Wāḥidī is the first exegete to express a typology of *tafsīr*, with clear levels of audience corresponding to the complexity of each of his three works of *tafsīr*.⁹ He divides his work according to its style, content, and its usefulness to different classes of reader. For the debased, who need something easy to understand and memorize, he has written

⁷ Al-Thaʿlabī, *al-Kashf wa-l-bayān*, 1:74–75.

⁸ For more on al-Thaʿlabī’s introduction, see Walid Saleh, *Formation*, chapter 4.

⁹ Saleh argues that al-Wāḥidī’s works must each be seen to have distinct aims. Saleh, “The Last of the Nishapuri School,” 225.

al-Wajīz, for the ignorant, whose ignorance can be helped with a work which is neither too short nor too long, he has written *al-Wasīṭ*, and for the scholars who can comprehend a higher level of discourse, he has written his masterwork, *al-Basīṭ*.¹⁰ The division into levels is clearest in the introduction to his ‘middle work’, the *Wasīṭ*:

I have, prior to writing this book, by God-given success, written three works in this field of knowledge: a work on the semantics of interpretation (*ma‘ānī al-tafsīr*) [*al-Basīṭ*], a work on the science of traditions of interpretation (*musnad al-tafsīr*) [*Asbāb al-Nuzūl*], and an abridged *tafsīr* (*mukhtaṣar al-tafsīr*) [*al-Wajīz*]. For a long time, I have been requested to dictate a “middle” book of interpretation, lower than the level of *al-Basīṭ*, which includes the utmost ends of teaching, and higher than the level of *al-Wajīz*, which abridges the teachings. The miserable, diverse, passing days impel the heart of him of whom the request has been made, and I will draw myself up against their passing and [put] my great talents [to use] against their brevity (for I see the roughness of this age, the sluggishness of its learning and its people, and the ignorant one being overcome by his ignorance), by fashioning an interpretation to release [the ignorant one] from over-lengthiness, and to save him from the shortcomings of conciseness and abridgment. I offer this as a middle type, and the more upright intent is that it be a good thing between two bad things, and a level between two other levels, not too little nor too much.¹¹

Al-Wāḥidī’s main concern seems to be to pitch his technical discourse to the right audience: the more technical the work, the less accessible it will be to the general scholar; yet works that eschew almost all technical elements, like *al-Wajīz*, are downright embarrassing, even to their own authors. He describes in the introduction to that work how he has “descended to the level of the people of our time.”¹² Al-Wāḥidī’s complaints, like al-Tha‘labī’s, are probably rhetorical; yet their details reveal his desire to specify the level of technical expertise required by its readers. The titles emphasize the intellectual scope required by the readers of the works: the ‘middle work’ is often called ‘The middle, between the scant and the ample’ (*al-Wasīṭ bayna al-maqbūḍ wa-l-basīṭ*).

¹⁰ Wāḥidī, *al-Wajīz*, 1:87; *al-Wasīṭ*, 1:50.

¹¹ Wāḥidī, *al-Wasīṭ*, 1:50.

¹² Wāḥidī, *al-Wajīz*, 1:87.

The tripartite formula of arranging works according to the different levels of scholar had been used by the ancient Greeks in their educational structure, and may have been related in the Islamic context to the development of the *madrasa*. This model distinguishes al-Wāḥidī from other exegetes, because he was the first, and perhaps the only, exegete to adopt it, but it represents a wider trend in the writing of works in the medieval Islamic milieu.¹³ Some examples include al-Qāḍī al-Nu'mān (d. 363/974) wrote legal treatises at different levels corresponding to the levels of the Fatimid Isma'īlī initiates, and al-Ghazālī (d. 505/1111), who wrote philosophical works, and whose three were said to have been inspired by al-Wāḥidī's.¹⁴ Sebastian Günther has noted that al-Fārābī (d. 339/950), when writing of educational methods, distinguishes three levels of student: those of a bad nature, who wish to use their learning for evil; dullards, who will never attain excellence, and those of "pure morals and excellent intellectual capabilities."¹⁵ These levels of student seem roughly parallel to al-Wāḥidī's three levels of work, and his attitudes towards students at each. The tripartite division was not widely adopted by other exegetes, because few others wrote as many works on *tafsīr* as al-Wāḥidī; but other exegetes give subtle clues as to the level of reader for whom they intend their work.

The length of a work has obvious ramifications for its accessibility and its place in any educational program, and length is a factor mentioned by many exegetes in their introductions. Length seems to be related to the function of a work. While some exegetes, like al-Tha'labī, wish to write compendia, and describe their works as inclusive of a range of knowledge, others wish to make their works easy to memorize, and thus exclude certain elements to make the work manageable for this purpose. One of the latter is the famous Baghdadi preacher Ibn al-Jawzī (d. 597/1200). He says that he wishes to make his work short enough that it may be memorized, without neglecting any of the important sciences included in the genre of *tafsīr*.¹⁶ Saleh's distinction of "*madrasa*" and "encyclopedic" *tafsīr* is, in a sense, a distinction

¹³ This observation arises from a particularly fruitful discussion of this paper at the AOS, 2009.

¹⁴ Saleh, "The Last of the Nishapuri School," 223, says "Medieval biographers were certain that al-Ghazālī borrowed the titles for three of his *fiqh* works from those of al-Wāḥidī's three Qur'ān commentaries"; he cites al-Yāfi'ī and al-Dhahabī.

¹⁵ Günther "The Principles of Instruction are the grounds of our knowledge" 17–18.

¹⁶ Ibn al-Jawzī, *Zād al-masīr*, 3–4.

between short and long, with the *madrassa* work being an abridgement of the encyclopedic. According to their authors, however, middle works were not necessarily abridged.

Al-Zamakhsharī (d. 543/1148) wrote a medium-sized commentary (four volumes in most modern editions) which, he claims, is not at all a simple work for lesser scholars. He claims that he has refused to write until he found an audience capable of understanding his work. His *tafsīr*, he explains, is focused on *al-maʿānī wa-l-bayān*. The exact definitions of *al-maʿānī wa-l-bayān* are contested; broadly, they refer to sentence structure and figurative language; these fields of study were developed in poetics.¹⁷ *Maʿānī* itself is a specialized subject in terms of the study of the Qurʾān, which had its own genre of books; these could be referred to as books of semantics. Because of its technical focus, al-Zamakhsharī fears that his work will be too complex for his audience in Khwārazm: he does not think that they can manage to comprehend even the slightest extent of the sort of knowledge that is included in a work of *tafsīr*. Though these complaints are probably rhetorical, they nevertheless reveal a concern to have his work taken seriously for its scholarly merits. Most importantly, this work is not intended as a summary or abridgement, but rather as a learned disquisition in its own right:

I have seen our brothers in religion, from among the righteous (*afādīl al-fiʿa al-nājiyya al-ʿadliyya*),¹⁸ combining knowledge of Arabic and the religious sciences. Whenever they came to me concerning the exegesis of a verse, I would clarify some truths for them, and their appreciation and wonder was extreme. They were excited by a longing for a volume which would collect together the disparate parts of that [discourse], and they went so far as to suggest that I dictate to them [my work] *al-Kashf ʿan ḥaqāʾiq al-tanzīl wa-ʿuyūn al-aqāwīl fī wujūh al-taʾwīl*. I requested to be excused from this duty, so they insisted on the request, interceding with some great men of religion, and learned men of justice and unity (*ʿulamāʾ al-ʿadl wa-l-tawḥīd*).¹⁹ And that which spurred me on in my refusal, despite my knowledge that what they had requested was a thing to which it is my duty to give a positive answer, because taking this subject up is like an individual religious obligation (*ka-farḍ al-ʿayn*),

¹⁷ B. Reinert, EI² art. “al-Maʿānī wa-l-Bayān,” describes these terms and gives an idea of the difficulty of defining them. Though these terms are frequently used in works of *tafsīr*, to my knowledge their use in this genre has not been studied by scholars working in Western languages.

¹⁸ Apparently this is a reference to his fellow Muʿtazila.

¹⁹ Another reference to the Muʿtazila.

was what I saw of this age's worn out garb, and the weakness of its men, their ambition falling short of the merest extent of this knowledge, let alone rising to the level of a basic discourse in the two sciences of semantics and clarification of meaning (*'ilmay al-ma'ānī wa-l-bayān*). So I dictated to them some issues connected to the opening letters of the verses (*fawātiḥ*), and a part of the discourse concerning the truths of *Sūrat al-Baqara*, and the discussion was very elaborate, [with] questions and answers of great length.²⁰

In the process of describing his concern for his study circle's lack of technical expertise, al-Zamakhsharī sheds light on who came to his lessons, and the nature of the *tafsīr* he would teach them. The students he describes here adhere to his theological affiliation, Mu'tazilism, and they seem to be a certain group which attends lessons regularly; though they seek learning they are not *scholars*: they do not have specialized technical knowledge. Because his particular audience would not have understood the *ma'ānī wa-l-bayān* in his work of exegesis, he instead has an intense, in-depth discussion with them which includes "a part" of the discourse on the *Sūrat al-Baqara* and "some issues" concerning the letters at the beginnings of the chapters of the Qur'ān. In other words, it seems as though these lessons include some, but not all, aspects of his work of *tafsīr*. For this, his audience was well-equipped: they had a lengthy and apparently satisfying question-and-answer session and discussion. With its rhetorical flourishes, and al-Zamakhsharī's obvious concern to distinguish himself on the intellectual hierarchy, it is difficult to take this description entirely at face value. But, when other sources are taken into account, his description of the content of the lesson seems to be representative of the way that *tafsīr* was taught to non-specialists in study circles.

2. *Tafsīr in Sermons and Study Circles*

One of the most important sources for the social history of religious practices in the Islamic Near East in the late twelfth century is the diary of the pilgrim Ibn Jubayr (d. 613/1217); in the course of his travels from Granada throughout the Arab world in the years 578/1183–581/1185, he describes hearing exegesis at sermons and lessons. This section is an analysis of the type of exegesis he might have heard at

²⁰ Al-Zamakhsharī, *al-Kashshāf 'an ḥaqā'iq ghawāmiḍ al-tanzīl*, 1:ḍ.

such sessions. It seems, from the available evidence, that the exegesis heard by Ibn Jubayr differed in important respects from that in works of *tafsīr*; tentatively, one might say that his experience of *madrasa* lessons was similar to that of the students of al-Zamakhsharī, who heard parts of his exegesis but not the whole thing, whereas the sermons, which were intended for a much broader audience, were substantially different from the exegesis in *tafsīr*.

When traveling in Baghdad, Ibn al-Jubayr describes hearing exegesis at a lesson in the *Nizāmiyya*, the famous Baghdadi *madrasa* established by Nizām al-Mulk.

The first of those whose session (*majlis*) we attended was Shaykh al-Imām Raḍī al-Dīn al-Qazwīnī, the head of the Shāfiʿīs, and teacher of law (*faqīh*) at the Nizāmiyya *madrasa*, who is distinguished by his pre-eminence in the foundational sciences (*al-ʿulūm al-uṣūliyya*). We attended one of his sessions at the abovementioned *madrasa* following the noon prayer on the 5th of the month of Safar. He ascended the pulpit (*minbar*) and the readers, who were seated on chairs in front of him, began to recite. They filled one with longing and yearning with pleasing voices. Then the abovementioned Imam delivered a quiet and grave discourse that dealt with the various branches of learning, including a *tafsīr* of the Book of God, an exposition of the *ḥadīths* on the authority of His Messenger, and a discourse on its semantics (*maʿānihi*). The questions rained down on him from all sides. He did not cut his answers short, and he was prompt, not delaying [his responses]. A number of notes were passed to him and, gathering them together in one hand, he began to answer each one, until his palm was empty. When evening fell he descended and the assembly dispersed.²¹

In his description of the lesson, Ibn Jubayr mentions three subject areas, all of which have technical aspects that would have been of interest to scholars: exegesis (*tafsīr*), traditions (*ḥadīth*), and semantics (*maʿānī*). It is difficult to know the extent to which the lesson dealt with the technical aspects of these fields, for instance the variant opinions and grammatical discussions in *tafsīr*, or the chains of transmission and the process of verification in *ḥadīth*, because it is difficult to know the exact nature of *madrasa* and mosque lessons at this time, and the extent to which they were restricted to scholars. Talmon-Heller notes that study circles in the mosque and *madrasa* in Damascus under the Ayyūbids were open to the public as well as serious students, and

²¹ Ibn Jubayr, *Risāla*, 195; trans. Broadhurst, *The Travels of Ibn Jubayr*, 228.

asserts that commoners attended some study circles.²² Though there must have been mixed groups at many lessons, such open lessons were probably distinct from the sessions of intense memorization that also seem to have taken place for training specialists.²³ ‘Abd al-Laṭīf al-Baghdādī (d. 629/1231) recommends to students that they study only one subject for a year or two, mastering it before moving on to the next. His method is repeated in microcosm for each book studied: the student should study only one book at a time, memorizing it so that eventually he can dispense with it altogether.²⁴ Needless to say, it is not clear that his advice was followed everywhere, or indeed anywhere. In some cases, however, memorization sessions and higher studies occurred at different times of day from other lessons.²⁵ Thus, one has the impression of different levels of lesson, but with probable overlap between attendees at each.

Ibn Jubayr’s description is not an intense session of memorization. The lesson he attended, lasting for hours, would surely have included some fine points; yet the truly technical aspects of the fields of knowledge of *tafsīr*, *ḥadīth* and *ma‘ānī*, the sorts of points that would be at the heart of written works in these fields, are more likely to have been undertaken in a course of study. This interpretation is supported by the fact that all of these various subjects (*ḥadīth*, *tafsīr*, and *ma‘ānī*) were heard in one session; thus, the session was not devoted to one specific branch of learning, as one might expect if it were highly specialized. Nevertheless, we cannot know the exact content of these lessons.

More concrete information is available for the sermons of Ibn al-Jawzī. These sermons, a few of which were attended by Ibn Jubayr in the course of his stay in Baghdad, often revolved around the recitation and explanation of certain verses of the Qur’ān.²⁶ Talmon-Heller has analyzed Ibn Jubayr’s account, and come up with a general formula of one of Ibn al-Jawzī’s sermons: Qur’ān recitation is followed

²² Talmon-Heller, *Islamic Piety in Medieval Syria: Mosques, Cemeteries, and Sermons under the Zangids and Ayyūbids*, 74, 219.

²³ Makdisi and Peterson (art. “Madrasa,” EI² 5:1130) mention that some *madrasa* lessons were serious sessions of memorization.

²⁴ Makdisi, *The Rise of Colleges*, 89.

²⁵ Makdisi and Petersen (EI² 5:1134) say that, in one instance, lessons for the learned took place in the morning, and for the general populace in the afternoon: “[E]veryone was free to join a *ḥalqa* in order to hear a teacher. Al-Muqaddasi for example tells us that the learned men of Fārs used to sit from early morning till midday, and from *aṣr* to *maghrib* for the common people.”

²⁶ Ibn Jubayr, *Risāla*, 196–99.

by praise of God and His Prophet, and supplication on behalf of the Caliph. He then explains the verses that were read in the recitation. All of this is followed by a question-and-answer session.²⁷ Exegesis plays an important part in this formula, and one might suppose that such popular preaching sessions would have been a perfect venue for an expostulation from the preacher's own work of *tafsīr*. But the method and, to some extent, content of exegesis in his sermons differs from that in his work of *tafsīr*, even when the sermon's sole focus is the exegesis of one verse.

One of Ibn al-Jawzī's sermons, on the verse *He is the first and the last* (Q 57:3), is a good example of how he incorporates exegesis into his preaching. The theme of the sermon is humans' inability to comprehend God. He begins by describing God's infinite nature, and goes on to disparage those who would draw any likeness to Him. Without seeming repetitive, the main points are emphasized by being restated. The sermon uses simple, clear, language and images; crucially, it has an argument and proceeds logically from one point to the next.

Concerning His words, *He is the first and the last* in which is mentioned [God's] unity, *First* he has no beginning; *last* he is beyond end; *manifest* by means of proof, *hidden* by a curtain. Reason confirms Him, while senses do not detect Him: every human (*makhḷūq*) is enclosed by a barrier, imprisoned in an encompassing wall, while the Creator (*khāliq*) is the most manifest, knows without any familiar knowledge, is raised up above any similitude. Similitude only occurs in form when someone has form; it is only possible to draw a simile to someone who has some semblance; and as for the one who did not end and does not abate, there is no way to sense Him; His greatness is beyond attainment, and hinders the imagination.²⁸

Ibn al-Jawzī reasons that because humans cannot understand God, it is impossible to draw comparisons to him; anthropomorphism, which inherently involves comparison, is thus unacceptable. The defining characteristic of this exegesis, then, is that the words of the verse are used as a launching pad to make a specific argument about God's nature.

²⁷ Talmon-Heller, *Islamic Piety*, 118–19, referring to Ibn Jubayr, *Risāla*, 198. Jonathan Berkey analyzes certain sermons for their themes and contents, and identifies themes such as the creation, stories of the Prophets, death, judgment, and salvation; however, he does not comment on the way in which these themes were approached, nor on the sources for the sermons (*Popular Preaching and Religious Authority in the Medieval Islamic Near East*, 41–52).

²⁸ Ibn al-Jawzī, *al-Mudhish*, 137.

Turning to his exegesis of this verse in his work of *tafsīr*, its style differs from that of the sermon in three key ways: he names authorities for specific interpretations, he gives several possibilities as to the verse's meaning, and he introduces uncertainty as to the true meaning of the verse. Thematically, anthropomorphism is missing while the concepts of the manifest (*ẓāhir*) and the hidden (*bāṭin*) assume a prominent place, taking up much of the discussion; in fact, the exegesis reads as an elaboration on a specific point in the sermon, that "Reason confirms him, while senses do not detect Him:"

He is the first Abū Sulaymān al-Khātibī said, He precedes all things *and the last* remaining after the extinction of creation, *manifest* by his overwhelming evidence. His clear proofs, and his attestations are evidence of the truth of His unity. And it could be (*wa-yakūn*) that *the manifest* (*al-ẓāhir*) is above everything by virtue of His power. It can be (*wa qad yakūn*) that the "manifestation" (*ẓuhūr*) has the meaning of height, or it can mean mastery. *The hidden* (*al-bāṭin*) He is hidden from the sight of the created beings, who cannot make themselves master of Him by imagining how he is. It is possible that the meaning of the "apparent" (*ẓuhūr*) and the hidden (*buṭūn*) is His concealment from the physical sight of the observer, though he is manifested to the mental vision of those who consider (*ihtijābuhu 'an abṣār al-nāẓirīn wa-tajallīhi li-baṣā'ir al-mutafakkirīn*). And it could mean: the Knower of matters that are clear, and the Seer of what is hidden in obscurity.²⁹

In this work Ibn al-Jawzī does not make a logical argument, proceeding from one point to the next; his discussion is philological, in that he lists many possibilities for the meaning of the terms "manifest" and "hidden," though he does not include the grammatical points so common in works of *tafsīr*. This exegesis is not incompatible with the sermon; but the specific ways in which the exegesis in these two genres differs gives the distinct impression that his work of *tafsīr* is meant for a scholarly audience, as opposed to the sermon, which has a broad popular appeal.

Talmon-Heller asserts that the main purpose of the *majlis al-wa'z* in the Ayyūbid period was to "provide a meaningful religious experience, rather than knowledge."³⁰ Ibn Jubayr describes the emotion provoked at one of Ibn al-Jawzī's sermons, where "eyes flowed with tears."³¹ It is difficult to imagine weeping emotionally from the sort of learned

²⁹ Ibn al-Jawzī, *Zād al-masīr fī 'ilm al-tafsīr*, 7:342–43.

³⁰ Talmon-Heller, *Islamic Piety*, 142.

³¹ Ibn Jubayr, *Risāla*, 198.

discourse that occurs in this work of *tafsīr*. Ibn al-Jawzī's work shows exactly the ways in which the scholarly tone is established: citing of named sources, uncertainty, and multiple possibilities for a verse's meaning.

There is some evidence that works of *tafsīr* may have been read aloud in the mosque in a later period: al-Subkī (d. 771/1370) explains that in the late fourteenth century the reciter (*qāṣṣ*)³² and the seated reader (*qārī' al-kursī*) both read aloud in the mosque from books, including works of *tafsīr*. Both are instructed to read from books readily comprehensible to the general populace.³³ Yet precisely because of this prescription, it seems that we must not assume that the *qārī' al-kursī* or the *qāṣṣ* (as reciter, rather than storyteller) were reading from works of Qur'ān commentary *per se*; they may have been reading from popularized works.

Nevertheless, common examples indicate that works of *tafsīr* had some appeal to the educated classes and non-specialist scholars, not just to a small circle of specialists. To name a few: Usāma b. Munqidh (d. 583/1188) mentions in his memoir that his father copied the Qur'ān numerous times in his own hand, and that one of these copies also comprised a work of *tafsīr*.³⁴ The scholar 'Abd al-Laṭīf al-Baghdādī received tutelage from one expert in *tafsīr*, though his main focus was in other areas.³⁵ And it seems that scholars writing on diverse subjects had recourse to works of *tafsīr*. In his book of ethics, al-Fāryābī (who

³² A literal translation would be "storyteller," but the function that al-Subkī describes is that of a reciter.

³³ According to al-Subkī, "The Seated Reader (*qārī' al-kursī*) is the one who sits on a chair reading to the populace from the gentle tales, *ḥadīth*, and *tafsīr*; he shares this function with the *qāṣṣ*, but the two differ in that the *qāṣṣ* reads by heart and from memory, and he stands, though he may sit, but his standing and sitting is in the streets. As for the *qārī' al-kursī*, he sits on a chair in the Friday mosque (*jāmi'*) or everyday mosque (*masjid*), or in a school (*madrasa*), or Ṣūfī convent (*khānaqa*), and he only reads from books [not from memory]. It is obligatory for him, just as it is obligatory for the *qāṣṣ*, only to read what the general populace will understand," Subkī, *Tāj al-Dīn, Mu'īd al-ni'am*, 162–63. Berkey, *Popular Preaching*, 14, and Makdisi, *Rise of Colleges*, 218, both cite Subkī on the *qārī' al-kursī*.

³⁴ "One of the copies was a huge one in which he wrote in gold and in which he included all of the sciences of the Qur'ān—its different readings, its obscure terms, its Arabic style and grammar, its abrogating and abrogated passages, its commentary, occasions of its revelation, and its jurisprudence. The copy, which he styled *al-Tafsīr al-kabīr* [the great commentary] was written in black ink alternating with red and blue." Usāma b. Munqidh, trans. Hitti, *An Arab-Syrian Gentleman and Warrior in the Period of the Crusades*, 81.

³⁵ Toorawa, "A portrait of 'Abd al-Laṭīf al-Baghdādī's Education and Instruction," 93.

wrote in 597/1200) includes in his bibliography six works of *tafsīr* and nine of *ḥadīth*.³⁶ It is not unreasonable to assume that a basic education would have included some knowledge of *tafsīr*. It is worth investigating which works were included in the non-specialist repertoire.

3. *Tafsīr for the non-specialist*

The sources reviewed so far in this article give us some idea of the authors' intended audience, rather than their actual audience. Sources such as sermons may represent idealized types, while exegetes' introductory statements may represent their self-aggrandizing wishes. Without undertaking full-scale research on the documentary evidence, it is difficult to get a sense of the actual audience for specific works of *tafsīr*. In this regard, the *Fihrist kutub khizānat al-turba al-Ashrafiyya*, a 13th-century list of some 2000 works in the Library of the mausoleum of al-Malik al-Ashraf (r. 626/1229–635/1237), in Damascus, is an exciting source because it records the titles of works, and sometimes their authors. The manuscript has not been the subject of scholarly inquiry until now; Konrad Hirschler is currently preparing a monograph on it.³⁷ One of the reasons that this is an important source for the study of how *tafsīr* was disseminated is that it does not seem to be for patrons specializing in the study of the Qur'ān: religious sciences as a whole (including *fiqh*) make up only around 20% of the holdings of the library; only one copy of the Qur'ān is listed.³⁸

Most of the works in Qur'ānic sciences contained in the Ashrafiyya catalogue could be considered under the broad rubric of interpretation of, or commentary on, the Qur'ān; but not all of these are *tafsīr* as such: many of them are dedicated to specific aspects of the Qur'ān, such as the rare words/expressions in the Qur'ān (*gharīb al-Qur'ān*), variant readings (*qirā'āt al-Qur'ān*) or the Qur'ān's semantics (*ma'ānī al-Qur'ān*). I have taken a fairly restricted definition of those works

³⁶ Ahmed, "Mapping the World of a Scholar in Sixth/Twelfth Century Bukhāra."

³⁷ The manuscript is not mentioned by Brockelmann, nor in the EI2 article on Bibliographies. It is noted by Gacek in the article 'Some remarks on the cataloguing of Arabic Manuscripts,' 173; he does not give further details.

³⁸ According to Hirschler, the Ashrafiyya catalogue focuses mostly on poetry (around 37%), with *adab* and the religious sciences each containing roughly 21%, and numerous diverse other subjects, including medicine, panegyric, and philology, making up the difference. The number of titles devoted to the Qur'ānic sciences is relatively small—around 50. In my own reading of the manuscript, I benefitted immensely from Hirschler's analysis.

that I examine, excluding the more specific works. The result is fifteen works of *tafsīr*.³⁹

The two key factors that exegetes gauged according to their audience's ability were technical difficulty and length. But the two key factors in the selection of *tafsīr* for the Ashrafiyya seem to have been length and the provenance of the authors: there is a distinct bias towards short and medium-length works by authors from Khurāsān.

Of the works in the catalogue, seven are certainly or probably short works, of one to three volumes if in print today.⁴⁰ The short works include two copies (one partial) of the *Wajīz* of al-Wāḥidī, who was a Shāfi'ī from Nishāpūr,⁴¹ *al-Wāḍiḥ fi'l-tafsīr li-Ibn al-Mubārak* [al-Dinawārī] (d. ~300/912),⁴² and the *tafsīr* of Abū'l-Layth al-Samarqandī (d. 373/983), who was a Ḥanafī from Samarqand.⁴³ The *Mukhtasar zād al-masīr* of Ibn al-Jawzī,⁴⁴ is likely to have been short. The remaining short works give the exegesis of only part of the Qur'ān: *Tafsīr Sūrat Yūsuf*,⁴⁵ by Shahrastānī (d. 548/1143), who was a Shāfi'ī and an Ash'arī from a village near Nishāpūr, who studied in Nishāpūr and Baghdād, and whose work shows Ismaili influence, *al-Jāmi' li-tafsīr Sūrat al-Insān*,⁴⁶ and the *Tafsīr āy al-jihād li-Ibn Asākir*

³⁹ This number excludes titles with incomplete details that could not be identified.

⁴⁰ The printed length of a work is obviously an imprecise measurement, because styles of printing and length of volumes differ, but it does give a rough idea of the length of a work.

⁴¹ Fatih 5433 at 266r. lists *Wajīz al-Wāḥidī, mujallad*, and lists *Wajīz al-Wāḥidī* at 267r. *Al-Wajīz*, in one of its current printed editions is 2 volumes (Damascus, Dār al-Qalam, 1995). Al-Wāḥidī's full name is Abū'l-Ḥasan 'Alī b. Aḥmad al-Wāḥidī al-Naysābūrī.

⁴² Fatih 5433 at 266r-v lists *al-Wāḍiḥ fi'l-tafsīr li-Ibn Mubārak*. *Al-Wāḍiḥ* is 2 volumes in a current printed edition, *Tafsīr Ibn Wahb al-musammā al-wāḍiḥ fi tafsīr al-Qur'ān al-Karīm* (Beirut: Dār al-Kutub al-'Ilmiyya, 2003). For further information on this work, see Motzki, "Dating the so-called *tafsīr* Ibn 'Abbās: some additional remarks."

⁴³ Fatih 5433 at 249v, lists *tafsīr al-Qur'ān li-Abī'l-Layth*. The *tafsīr* of Abū'l-Layth al-Samarqandī (d. 373/983) is published as *Baḥr al-'Ulūm*; it is 3 volumes in a recent printed edition (Beirut: Dār al-Kutub al-'Ilmiyya, 1993). It is unclear whether this was originally the title of Abū'l-Layth's work. Another al-Samarqandī, 'Alī b. Yaḥyā (d. 860/1456) also wrote a *tafsīr* that is identified in Alhwardt as the author of the *Baḥr al-'Ulūm*; but this could be a mistake. Abū'l-Layth's name is Naṣr b. Muḥammad Abū'l-Layth al-Samarqandī.

⁴⁴ Fatih 5433 at 257v lists *Mukhtasar zād al-masīr fi'l-tafsīr*.

⁴⁵ Fatih 5433 at 249v lists *Tafsīr sūrat Yūsuf li-Shahrastānī*. Shahrastānī was a Shāfi'ī who studied in Nishāpūr and Baghdād. His *tafsīr* of Sūrat Yūsuf is listed by Yāqūt as "a book explaining Sūrat al-Yūsuf, with subtle philosophical expressions" (*Mu'jam al-buldān*, 3, 377).

⁴⁶ Fatih 5433 at 250v lists *al-Jāmi' fi tafsīr sūrat* [sic] *al-Insān*.

(d. 571/1175); Ibn 'Asākir, from the famous Banū 'Asākir family, was a Shāfi'ī from Damascus.⁴⁷

The medium-length works in the library include al-Wāḥidī's *Wasīṭ*, of which the library had two copies⁴⁸ the *Ma'ālim al-tanzīl*, by al-Baghawī (d. 516/1122), who was a Shāfi'ī from a village near Harāt; he died in Marw,⁴⁹ *al-Kashshāf*, by al-Zamakhsharī, who was a Mu'tazilī and a Ḥanafī who was born in Khwārizm, who studied in Baghdād and lived in Mecca,⁵⁰ the *Zād al-masīr* by Ibn al-Jawzī,⁵¹ and a part of the *tafsīr* of Abū'l-Futūḥ Rāzī (d. 525/1131), who was an Imāmī from Nishāpūr.⁵² In addition the *Tibyān fī tafsīr al-Qur'ān* is attributed to an author who seems to be Ibn Maryam, though this is unlikely.⁵³

There are two longer works listed in the catalogue: the *Kashf wa'l-bayān*, by al-Tha'labī (d. 427/1035), who was a Shāfi'ī from Nishāpūr,⁵⁴ and a part of the *tafsīr* of Fakhr al-Dīn al-Rāzī (606/1209), who

⁴⁷ Fatih 5433 at 249v lists *Tafsīr āy al-jihād li-Ibn 'Asākir*. His name is Thiqaṭ al-Dīn Abū'l-Qāsim 'Alī b. Abī Muḥammad al-Ḥasan.

⁴⁸ Fatih 5433 at 266r lists *Wasīṭ al-Wāḥidī nuskhatān*. *Al-Wasīṭ fī tafsīr al-Qur'ān al-Majīd* has been published in 4 volumes (Beirut: Dār al-Kutub al-'Ilmiya, 1994).

⁴⁹ Fatih 5433 at 257v lists *Ma'ālim al-tanzīl lil-Baghawī*. Al-Baghawī's name is Abū Muḥammad al-Ḥusayn b. Ma'sūd Muḥammad al-Farrā'. *Ma'ālim al-tanzīl* is 8 volumes in a current printed edition (Riyadh, Dār al-Tibāh, 1997).

⁵⁰ Fatih 5433 at 267r lists *Al-Kashshāf*. *Al-Kashshāf* is 4 volumes in a current printed edition (Beirut: Dār al-Kitāb al-'Arabī, 1965).

⁵¹ Fatih 5433 at 253v lists *Zād al-masīr li-Ibn al-Jawzī*. Ibn al-Jawzī was a Ḥanbalī preacher and prolific author who lived in Baghdad. *Zād al-masīr* has been published in as few as 4 and as many as 8 volumes. 4 volumes: (Beirut: Dār al-Kitāb al-'Arabī, 2001); 8 volumes: (Beirut: Dār al-Kutub al-'Ilmiya, 1994).

⁵² Fatih 5433 at 269v lists *min al-janān wa'l-jinān*. This is an early Persian *tafsīr*. *Tafsīr rawḍ al-janān wa rawḥ al-jinān* is published in 13 volumes (bound as 7) (Tehran: Kitābfurūshī Islamiya, 1978).

⁵³ Fatih 5433 at 249v lists what appears to be *al-Tibyān fī tafsīr al-Qur'ān li-Ibn Maryam*. There is also a partial copy of the work, listed as *Nihāyat al-tibyān fī tafsīr al-Qur'ān* (Fatih 5433 at 265v). The most famous *Tibyān fī tafsīr al-Qur'ān* is authored by the Imāmī al-Ṭūsī, Abū Ja'far Muḥammad b. al-Ḥasan b. 'Alī. (d. 459 or 460/1066 or 1067). There was an exegete called Ibn Abī Maryam (d. 575/1170), Naṣr b. 'Alī b. Muḥammad al-Shirāzī, but his *tafsīr* is said by Kaḥḥāla to be called *al-Kashf wa'l-Bayān fī tafsīr al-Qur'ān* (Kaḥḥāla v. 13 p. 90); this is the title of al-Tha'labī's work. Brockelmann also attributes a *Tibyān fī tafsīr al-Qur'ān* to Sijistānī; though this is more properly the *Tibyān fī tafsīr gharīb al-Qur'ān* which is held in the Ashrafiyya collection under the title *Gharīb al-Qur'ān li-Ibn 'Uzayr*, 256r. Thus it seems that if it is not al-Ṭūsī's *Tibyān*, Ibn Abī Maryam is the most likely author of this work.

⁵⁴ Fatih 5433 at 257r lists *al-Kashf wa'l-bayān fī tafsīr al-Qur'ān lil-Tha'labī*. Al-Tha'labī, Abū Ishāq Aḥmad, was a Shāfi'ī from Nishāpūr. *Al-Kashf wa'l-bayān fī tafsīr al-Qur'ān* is 10 volumes in its only printed edition (Beirut: Dār Iḥyā' Turāth al-'Arabī, 2002).

was a Shāfiʿī and an Ashʿarī from Rayy, who lived in Khwārizm and Harāt.⁵⁵

To summarize, of the ten authors whose locations could be identified, five were from Khurāsān, and one later settled there (Fakhr al-Dīn al-Rāzī was from Rayy, but he moved to Harāt). Three of these authors were from Nishāpūr, and one (al-Shahrastānī) lived there for a time. Two other authors were from the same broad region: al-Zamakhsharī was from Khwārizm and Abūʾl-Layth from Samarqand. The regional exceptions are Ibn al-Jawzī, from Baghdad and Ibn ʿAsākir, from Damascus; but Ibn ʿAsākir also has a Nishāpūr connection, since he studied there. Six of the authors are Shāfiʿīs, two Ḥanafīs, one Imāmī, and one Ḥanbalī; there are no Mālikīs.

Although length, regional, and legal affiliation seem to have had an influence on the inclusion of works in this library, it does not seem that the works' technical level had much of an effect, despite that being a central concern for the exegetes. The works are of mixed technical complexity. The *Wajīz* of al-Wāḥidī is a relatively uncomplicated work, but the *tafsīr* of Shahrastānī is notoriously complex and includes many different layers of meaning and interpretation.⁵⁶ Fakhr al-Dīn al-Rāzī's *tafsīr* is certainly difficult, and highly complex; al-Thaʿlabī's less so, despite his own insistence on its philological orientation. It is noteworthy that al-Wāḥidī's *al-Basīṭ*, his most technically complex work, is not represented here, nor is al-Ṭabarī's *tafsīr*; but these omissions could be due either to length or to level of difficulty. In short, it is clear that length played an important part in the selection of works for this library, while technical difficulty does not seem to have been a chief concern, though it may have affected the popularity of particular works.

Why, then, were these particular works chosen? The first factor, I believe, is practical: shorter and medium-length works were simply easier to produce, reproduce, transport, and read. Though it seems from the tone of al-Wāḥidī's introduction to the *Wasīṭ* and Ibn al-Jawzī's introduction to the *Zād al-Masīr* that the writing of a medium work was desirable for its merit alone (as al-Wāḥidī says, his is a 'good thing between two bad things', meaning his shorter and longer works),

⁵⁵ Fatih 5433 at 267r lists *min tafsīr Fakhr al-Dīn al-Rāzī*. *Al-Tafsīr al-kabīr*, is 32 volumes bound as 16 in a current edition (Beirut: Dār Iḥyā' Turāth al-ʿArabī, 199?).

⁵⁶ On Shahrastānī's methods, see Toby Mayer, *Keys to the Arcana*.

medium-length works may have also been desirable for simple practical elements. Most of the works available today are of medium length, with many shorter works also available.

The second factor is that these works seem to have been widespread. The death dates of the authors represented in the Ashrafiyya supports the hypothesis that the works included there were collected because they were widespread, rather than because they were rare, precious, or specialized. There are no particularly early works of *tafsīr* represented in this collection; the earliest is Ibn al-Mubārak, who died at around 300/912; but after him, the death dates of the authors range over roughly 200 years, from Abū'l-Layth al-Samarqandī in 375/983 to Fakhr al-Dīn al-Rāzī in 606/1209. Though early works of *tafsīr* might have been desirable, they would also probably have been rare and difficult to get hold of. If there had been early works in the collection, it would indicate that the patrons of the library had an interest in rare and expensive works of *tafsīr*. It seems more likely that the included works were widespread and considered to be essential reading, even for non-specialists.

Finally, the represented authors seem to have been highly prized. But I would like to suggest that, whereas most of the Khurāsānī-region authors were included because they were experts in *tafsīr*, Ibn 'Asākir and Ibn al-Jawzī were included for their expertise in other areas. Ibn al-Jawzī was widely respected and hugely popular; he has more than seven different works in the catalogue, one of which is said to be written in his own hand.⁵⁷ Ibn 'Asākir has two other works in the catalogue, both on *jihād*, as is his work of *tafsīr*. Several of the Khurāsānī and neighboring authors do have other works in this collection, but they are neither widely represented, nor on only one subject.⁵⁸ This gives the impression that these authors may have been prized for their works of *tafsīr*, whereas Ibn al-Jawzī was highly prized in general, and Ibn 'Asākir was highly prized for his specific work on *jihād*; furthermore he was the most famous Damascene author of the thirteenth century and it would be strange to find a contemporary library of 2000

⁵⁷ Of these one is his work of *tafsīr* and one a work of *Gharīb al-Qur'ān* entitled *Tadhkira al-gharīb fī tafsīr al-Qur'ān*.

⁵⁸ Al-Wāḥidī has two works of *tafsīr*, one of which has two copies; his commentary on al-Mutannabī's poetry is also held in the connection. Al-Tha'labī, Abū'l-Layth al-Samarqandī, al-Zamakhsharī, and al-Baghawī all have non-*tafsīr* works in the library.

books in the city without any of his works. The distribution of works makes it seem as though some authors were highly prized as individuals, whereas others' reputation was strengthened by their regional ties to Khurāsān.

Shahab Ahmed, in his analysis of the sources listed by al-Faryābī, who wrote a bibliography of his work on ethics in 597/1200, concludes that "during the period of 200–600 H., [Khurāsān-Transoxania] formed a distinct intellectual space within which the 'ulamā' perpetuated what seems to have been a relatively self-contained intellectual tradition."⁵⁹ The works of *tafsīr* in Faryābī's bibliography have an even more specific regional focus of Nīshāpūr. Six works of *tafsīr*, including two *ma'ānī* works, appear among the 78 works in his bibliography; of the five whose regional affiliation is known, four are from Nīshāpūr. Though there is a general bias towards Ḥanafīs in the bibliography, three of these works of *tafsīr* are written by Shāfi'īs (al-Tha'labī, al-Qushayrī, d. 465/10–72, and al-Wāḥidī); and only one by a Ḥanafī.⁶⁰ A similar Nīshāpūrī trend is found in the works of *tafsīr* listed by al-Shahrastānī in his introduction to *Maḥāṭib al-asrār*; of the eleventh and twelfth century exegetes whom he lists, six out of seven are from Nīshāpūr; at least four are Shāfi'īs.⁶¹ Al-Tha'labī and al-Wāḥidī are held in common in all three sources. The Khurāsānī/Nīshāpūrī bias might be expected from scholars working within the region, but it is initially less expected in a library from Damascus.

All of this lends weight to the theory that Khurāsān and the surrounding areas should be considered to be major centers for the production of *tafsīr* in the eleventh and twelfth centuries,⁶² but it also

⁵⁹ Ahmed, "Mapping the world of a scholar," pp. 42–43.

⁶⁰ It is difficult to determine whether length was an issue in Faryābī's choice of *tafsīr* works, because there are only four works of *tafsīr* proper (not *ma'ānī* works), and one of these is only extant in manuscript. Of the three remaining works, two are of intermediate length, the *Wasīf* of al-Wāḥidī and the *Laṭā'if al-ishārāt* of al-Qushayrī (d. 465/1072); one was a compendium, the *Kashshāf* of al-Tha'labī. All three of these authors knew each other in Nīshāpūr.

⁶¹ This statistic is based on my own analysis of the excellent notes provided by Mayer. See pp. 10–03 of his translation of *Keys to the Arcana*.

⁶² One of the first scholars to comment on the large number of Central Asian and Khurāsānī exegetes was Claude Gilliot, in "L'exégèse du Coran en Asie Centrale et au Khorasan," which consists of biographies of many of the most prominent exegetes of the region, including many of the authors in this catalogue. More recently, Walid Saleh has claimed that there was a Nīshāpūrī school of *tafsīr*, consisting of Ibn Ḥabīb, al-Tha'labī, and al-Wāḥidī ("The Last of the Nishapuri School of Tafsīr," p. 225). This study backs up his assertion of the importance of the production of *tafsīr* in Nīshāpūr in

indicates that particular works produced there may have been the most widespread works of *tafsīr* at the time and into the thirteenth century, and that scholars interested in producing exegesis may have been particularly drawn to the region. It seems that, although some contemporary exegetes were well out of the region,⁶³ most exegetes of the eleventh and twelfth centuries had close ties to Khurāsān and its neighboring areas; if they were not from the region, they studied there, and perhaps these affiliations strengthened their scholarly reputation as producers of *tafsīr*.

Conclusion

Though the importance of *tafsīr* has been debated by scholars today, it seems likely that certain prominent works formed a part of a basic education and were relatively widely read, though they were not intended for the general, non-educated public. Khurāsān was a major centre of learning and studying exegesis, and an initial analysis indicates that most of the widespread works from this time were written by authors from this region.

Pace Saleh, the binary division into *madrasa* and encyclopedic commentaries that he has proposed does not entirely address the different levels of *tafsīr* described by the exegetes themselves, nor the varying levels of scholar served by these works. The exegetes writing full-length commentaries were certainly aware of the need for works that fulfilled different purposes: the comprehensive, the abridgements/short works, and the middle works, with the middle work seemingly the most popular of the three. But even this division is simplistic, and does not take into account the different themes within the *tafāsīr*.

The preliminary evidence about which works of *tafsīr* were read by non-specialists reveals that exegetes' statements of intention for their works were sometimes borne out. Al-Wāḥidī's most complex work, the *Basīṭ*, which was only intended for specialists who had reached

the post-Ṭabarī period; but it seems likely that the Nishāpūrī school was bigger than Saleh has suggested, encompassing many more authors than these three. It is also worth considering the relationship of the exegetes in Nishāpūr to the other exegetes of Khurāsān and Transoxania in the Classical period.

⁶³ For instance, as al-Māwardī (d. 450/1058), who was from Basra and who died in Baghdad, Ibn al-'Arabī (d. 543/1148) from Seville, or Ibn 'Aṭīya (d. 546/1151), from Andalusia.

the utmost ends of learning, does not seem to have been widespread; his lesser works, intended to be simpler and more comprehensible, seem to have been more widespread, especially the ‘middle work.’ At other times exegetes’ purported intentions fell well short of the mark: al-Zamakhsharī stated that *al-Kashshāf* was only for specialists; but it went on to become one of the most widespread works of *tafsīr* of all time.⁶⁴ In light of the relatively manageable length of *al-Kashshāf*, its author’s posturing about the exclusivity of his work and its great depth of learning was perhaps an incitement, rather than a deterrent, to its potential readers.

Since most exegetes held a scholarly audience as their highest goal, in conclusion I will offer some preliminary speculations on the possible role of *tafsīr* in the *madrasa*. Much has been written on the development of the *madrasa*, and there is good evidence that works of *tafsīr* were studied in the *madrasa* and other educational institutions after the 13th century. The use of *tafsīr* in the earlier period remains somewhat murkier; nobody has yet analyzed the earliest educational texts for their attitude to *tafsīr*. Above, I highlighted the many different types of complaint that exegetes made about their various audiences. However, not all exegetes made such complaints: Ibn al-Jawzī is positively friendly towards his potential reader, addressing him personally. This could indicate that exegetes’ attitudes towards their audience varied according to time or place. If the complaints in the introductions of exegetes like al-Tha‘labī and al-Wāḥidī indicate a real (not just literary) phenomenon, it could be that, at this time, it is unclear how the genre of *tafsīr* will fit into the increasingly institutionalized system of *madrasa* and mosque learning. An element of insecurity on the part of the authors would explain the tension around the *idea* of a work that is easy to memorize, or otherwise suitable for students at a low level, rather than being so technically complex that it was only suitable for higher studies. Ibn al-Jawzī’s *tafsīr* may represent a different stage in the development of a trend begun by al-Wāḥidī: the trend to write a “textbook” *tafsīr*. The later author certainly seems more comfortable with the idea of a textbook than al-Wāḥidī was; whereas al-Wāḥidī

⁶⁴ The spread of al-Kashshāf has been documented by Andrew Lane, *A Traditional Mu’tazilite Qur’ān Commentary* in Chapter Two: History of the Text from 528/1134 to the Present.

excoriates his readers for needing an easily-memorized work, Ibn al-Jawzī is more encouraging: "I have tried to keep it short, so try, within your God-Given capacity, to memorize it."

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LEX MAHOMETHI:
CARNAL AND SPIRITUAL REPRESENTATIONS OF ISLAMIC
LAW AND RITUAL IN A TWELFTH-CENTURY DIALOGUE BY
A JEWISH CONVERT TO CHRISTIANITY*

Leor Halevi

In his book *Western Views of Islam in the Middle Ages*, Sir Richard W. Southern paid homage to Petrus Alfonsi, “a very remarkable man,” for giving us “the earliest account of Mahomet and his religion which has any objective value.” Petrus Alfonsi wrote his *Dialogues Against the Jews*, which contain a chapter on Islam, around 1109, in the opening years of what Southern calls “the century of reason and hope.” In the first half of the twelfth century, as crusaders returned home, “fireside stories” about Muḥammad spread and “fantastic descriptions” about Muslim practices emerged in literary productions that “belong less to the history of Western thought about Islam than to the history of the Western imagination.” But in Alfonsi’s *Dialogues* Southern found, in contrast, “by far the best informed and most rational statement” about Islam written in the twelfth century.¹

Petrus Alfonsi’s relatively “objective” account of Islam is what gave Southern some hope. Southern wrote his book, first delivered as lectures, in 1961, and the Cold War was very much on his mind. “The greatest practical problem of our time,” he wrote, “is the problem of the juxtaposition of incompatible and largely hostile systems of thought, morals, and belief embodied in political powers of impressive, not to say awe-inspiring size.” Like the Eastern Bloc and the West

* I am happy to dedicate this article to Professor Michael Cook, in appreciation of his mentorship over the years, beginning in my sophomore year at college, and in fond recollection of dialogues that have been, fortunately, very different from those between Moses and Petrus. Back in the spring of 1995 Jaroslav Pelikan introduced me to Alfonsi’s dialogue on Islam, and he advised me on a research paper that served as inspiration for this article. Asad Q. Ahmed, Thomas Burman, Bernard Septimus, John Tolan and David Wasserstein offered me many suggestions and corrections, for which I am extremely grateful. A fellowship from the Melbern G. Glasscock Center for Humanities Research at Texas A&M University provided me with the leisure I needed to research and write the first draft.

¹ Southern, *Western Views of Islam*, 28–29, 35.

during the Cold War, Islam and Western Christendom in the Middle Ages seemed to Southern diametrically opposed: they “not only represented two distinct systems of religion,” but also “societies extraordinarily unlike from every point of view.” In medieval European works on Islam one could not expect to find the “spirit of detached and academic or humane inquiry” that Southern admired. But one could observe how a handful of medieval authors, Petrus Alfonsi included, began in part to overcome ignorance, prejudice, and hubris in order to write more knowledgeable, critical, and accurate accounts of Islam.²

Like Richard Southern, other scholars have given Petrus Alfonsi credit for conveying to a Latin audience reports on Islam that were more learned and more humane than anything else available at the time. His dialogue on Islam included “legendary elements,” lamented Marie-Thérèse d’Alverny. But it was unusually informative, because Alfonsi based it in part on his “own personal experience of the Arab world.”³ His oriental tales played a role, Benjamin Kedar suggested, “in undemonizing and humanizing the Saracen.”⁴ In his magisterial work, *Islam and the West: The Making of an Image*, Norman Daniel also devoted some space to Alfonsi, highlighting in particular his contribution to the Western understanding of Muslim laws, customs and beliefs. Unlike Southern, Daniel had no desire to romanticize his subject. His main purpose in writing the book, he explained in the foreword, was “the scientific one of establishing a series of facts.” To this end, he analyzed with detachment and subtlety numerous Latin treatises on Islam, meticulously showing how Christians came to elaborate “erroneous ideas” about their presumed “enemies.” In his discussion on Muslim ablutions, he observed that Christians in general did not produce “theoretical disquisitions” on the subject, but simply “spontaneous reactions to factual observations.” “This subject,” he continued, “reveals some familiar aspects of the Christian legend of Islam—interpretation in Christian terms, unwillingness to consider the actual intentions of Islam, and sometimes indignant, horrified scandalisation at a fiction of the Christians’ own imagining.” Petrus Alfonsi himself

² Ibid., 2, 3, 7, 33–35.

³ D’Alverny, *La connaissance de l’Islam*, V: 594 and VI: 239. The information that Alfonsi conveys is really based on texts, not on personal observations.

⁴ Kedar, *Crusade and Mission*, 91, referring to Alfonsi’s *Disciplina Clericalis*. Menocal, *Ornament of the World*, 155–6, contrasts *Disciplina Clericalis*, with its ambiguous morality tales, to the *Dialogi contra Iudaeos*, which she describes as “an uncompromising and often vituperative theological polemic.”

was confused about the difference between two rituals of purity, *ghusl* and *wuḍūʿ*, and he “obscured” as much as he “illuminated” the pilgrimage to Mecca. Daniel thus remarked on the presence of inadvertent errors and deliberate distortions in Alfonsi’s work. At the same time, he singled it out for being “reasonably scientific,” for containing “sound information,” and, above all, for separating carefully the “factual” from the “critical” element.⁵

Much of this praise of Petrus Alfonsi is, alas, misplaced and it reflects, in my view, a misunderstanding of his representations of Islam to the West. A Jewish convert to Christianity, Alfonsi represented Islam in a dialogue—a dialogue between Moses and Petrus, Alfonsi’s names before and after his conversion. In this dialogue Moses offers a literal, sympathetic rendition of normative Muslim sources. Petrus offers instead a revisionist interpretation of Islam that pretends to expose secret, hidden truths. Ironically, Richard Southern and other scholars of medieval Christian views of Islam have given credit to Petrus Alfonsi for the work of his alter ego, Moses the Jew. But Petrus, in the dialogue, dismisses Moses’s relatively accurate, compelling version of Islam as imperfect and deceitful. In juxtaposition to it he develops a Christian polemic, where he revises a traditional Muslim perspective on Islam to present in its place a fabulous, imaginative reconstruction.

My goal in this article is to characterize the tension between Moses’s and Petrus’s representations of Islamic law. Although the debate between Moses and Petrus resonates in some spaces with modern debates on the origins of Islam, I am not interested in showing how it might count as a precursor of things to come. In analyzing the differences between the voices of Moses and Petrus, my aim, instead, is to contribute to a better appreciation of Alfonsi’s dialogic imagination, and thereby to a more accurate understanding of medieval Christian views of Islam. If scholars have often addressed Alfonsi’s dialogue as if it were a monologue, they have paid no systematic attention to his discussions of Islamic law. But Alfonsi advertised in the title to his work a focus on “the law of the Saracens” (*Sarracenorum lex*).

By “Saracens” Alfonsi refers to the race (*gens*) or sect (*secta*) that follows the Muslim system of beliefs and practices (*religio Musulmitica*)

⁵ Daniel, *Islam and the West*, 9, 22–3, 158, 235, 236, 243.

which is expressed in codified form by “Muhammad’s law.”⁶ This last term, *lex Mahomethi*, can have various meanings depending on context.⁷ It can designate specifically Muslim scripture, as in the title of the first Latin translation of the Qur’ān, by Robert of Ketton, *Lex Mahumet pseudoprophete*.⁸ It can also refer, more broadly, to the religion of Muḥammad, that is, to Islam.⁹ But, as we shall see, in Alfonsi’s dialogue *lex Mahomethi* is compared to Mosaic law. Under this rubric the dialogue covers multiple topics, ranging from criminal laws and marriage laws to ritual laws and to the rewards and punishments expected in the afterlife. Accordingly *lex Mahomethi* can be defined as the body of juridical and moral laws, derived from the Qur’ān or attributed to Muḥammad, which seek to regulate this life as well as the hereafter.

* * *

Behind the character of Moses, who represents Muḥammad’s law in a favorable light, lies a historical personage. Moses Sefardi, as he is often identified, grew up as Jew under Muslim rule, perhaps in or near the city of Huesca.¹⁰ Like other Jews from al-Andalus, he belonged to an Arabic cultural milieu. Thus, in Alfonsi’s dialogue, Moses reminds Petrus that he had been nurtured among Saracens: he had socialized with them, understood their language, and read their books.¹¹ But Huesca, the fortified city in northeastern Iberia where Moses converted to Christianity, was close to the Muslim-Christian frontier. It suffered frequent sieges in the second half of the eleventh century, as the Christian kings of Aragon committed themselves to its conquest. By 1096 Pedro I of Aragon finally conquered the city and integrated it

⁶ See PL 599 and 606. PL is the abbreviation for Migne’s edition of Petrus Alfonsi’s “Dialogi contra Iudaeos,” published in the *Patrologia Latina*. In preparing my translations I referred also to the critical edition by Mieth, *Der Dialog*, abbreviated here by DD. To verify my translations, originally undertaken in 1995, I consulted recent Spanish and English translations by Ducay and Resnick, respectively. These translations are useful, but must be read with care because they were conducted without much reference to the original Arabic texts that Alfonsi used. For an example of a problematic translation, see note 50 below.

⁷ For various definitions of *lex*, see Blatt, director, *Novum glossarium*, fasc. L, 108–112; Niermeyer, *Lexicon Minus*, fasc. 7, 601–605.

⁸ Burman, *Reading the Qur’ān*, 15, translates the title as “The Religion of Muhammad the Pseudo-prophet.”

⁹ As will be shown, Alfonsi translates the Qur’ānic term *dīn* (religion) as *lex*.

¹⁰ Tolan, *Petrus Alfonsi*, 9–10, including note 13. In a personal communication, John Tolan clarified for me that there is no evidence that Alfonsi “ever lived in the Ebro valley or in Huesca—all we know is that he was there for his baptism.”

¹¹ PL 597 / DD 62.

into his kingdom. In a world where military triumphs were regarded as signs of divine favor, this event had special significance. Moses's reasons for converting to Christianity remain unclear. But surely he was impressed by the Christian military triumphs of his day: by the Castilian *reconquista* of Toledo, by the Aragonese expansion in the valley of the Ebro, by the Norman conquest of Sicily, or by the Crusaders' victories in the Holy Land.¹² Petrus adopted the surname Alfonsi in 1106, as an adult, to honor his baptismal godfather, Alfonso I.¹³ By then this king of Aragon, *El Batallador* (r. 1104–1134), had already started establishing his reputation for battling zealously the Moors.

With his baptism, Petrus Alfonsi entered more deeply into a process of cultural and intellectual reorientation that the Aragonese conquest of Huesca set in motion. This reorientation involved a profound shift from an environment where Arabic and Islam had dominated culturally to an environment where Latin and Christianity had come to reign. Alfonsi quickly figured out, perhaps even before his conversion, that Huesca's change of fortunes presented him, as a competent reader of Arabic who had grown up in al-Andalus, with a special opportunity: to write about Islam and to transmit Arabic scientific texts to Christian intellectuals who were eager for this kind of knowledge.¹⁴ He obliged them in the first place with the dialogue on Islam, entitled "On Destroying the Law of the Saracens and Confounding Their Foolish Opinions" (*De Sarracenorum lege destruenda, et sententiarum suarum stultitia confutanda*). This dialogue circulated as part of the *Dialogues Against the Jews*, which John Tolan has described as "the most influential and widely read of all medieval anti-Jewish tracts." It also circulated independently, as "the only Latin anti-Islamic polemic with a wide distribution."¹⁵ In addition to the dialogue on Islam, Alfonsi

¹² Some Jews claimed, according to Alfonsi, that he had converted to Christianity when he noticed that the Christian peoples (*gens Christianorum*) were vanquishing all others (PL 538 / DD 2, preface). For a general account of the late eleventh century as a turning point in the Christian-Muslim balance of power in Iberia, see Wasserstein, *Rise and Fall of the Party-Kings*, chap. 9. On the rapid expansion of Aragon, see the synthesis by Bisson, *Medieval Crown of Aragon*, 11–15. For more detailed treatment, see Laliena and Sénac, *Musulmans et Chrétiens*, 148–153 and 164–169; and Laliena Corbera, "Expansión territorial," 199–227.

¹³ PL 538 / DD 2, preface.

¹⁴ According to Alfonsi, the Jews who accused him of converting due to the rise of Christian dominance perceived his conversion as an opportunistic one, undertaken to gain worldly honor (*ob honorem saeculi*). See PL 538 / DD 2, preface.

¹⁵ Tolan, *Petrus Alfonsi*, 95, 108–109; Tolan, *Saracens*, 154.

wrote "The Scholarly Guide" (*Disciplina Clericalis*), a popular collection of stories in which Arab characters figure prominently.¹⁶ At some point between 1109 and 1120, Alfonsi decided to leave Spain behind and to immigrate first to England and then to France, where knowledge of Arabic was rare. In England he became, in the words of Dorothee Metlitzki, "the pioneer of Arabic studies on English soil."¹⁷ There he taught English scholars astronomy and he translated (inadequately, by one account) al-Khwārizmī's astronomical tables.¹⁸

Alfonsi's works became popular in the West in part because they appeared at the right moment in history. Europe at the time was undergoing a literary and intellectual revival known as "the twelfth-century renaissance." Keen interest in Arabic scientific works was one characteristic of this renaissance.¹⁹ Another characteristic was a defensive Christian interest in other faiths, which manifested itself in a systematic deepening of polemics against Judaism and Islam.²⁰ These characteristics were byproducts of the expansion of Christendom in the age of the Crusades. Scholars writing after World War II tried on occasion to find a spirit of tolerance or humanism in treatises on Judaism or Islam from that age. But these treatises are rather marked by a crusading zeal—by a scholarly attempt to defend Christianity with the pen. Peter the Venerable, an influential reader of Petrus Alfonsi's dialogue on Islam, expressed that sentiment clearly in the prologue to his polemic, "The Book Against the Sect or Heresy of the Saracens" (*Liber contra sectam sive haeresim Saracenorum*). The Latins of his day, he explained, know only their own language and therefore cannot understand, much less resist, the error that is Islam.²¹ Alfonsi and his readers sought knowledge of Islam as Christians, with their "faith seeking

¹⁶ Kedar, *Crusade and Mission*, 91.

¹⁷ Metlitzki, *Matter of Araby*, 74.

¹⁸ Tolan, *Petrus Alfonsi*, 55–61. Cf. Grau Monserrat, "Contribución al estudio del estado cultural del valle del Ebro," 254, on Alfonsi's "scientific spirit" and his reliance on observed data.

¹⁹ Charles Homer Haskins made this point in his classic, *The Renaissance of the Twelfth Century*, chap. 9. For a more detailed treatment, see d'Alverny, "Translations and Translators," 421–462.

²⁰ Pelikan, *Growth of Medieval Theology*, 242–6.

²¹ For the Latin text, see Kritzeck, *Peter the Venerable and Islam*, 228–9 (D 180rd). Kritzeck suggests that Peter the Venerable was singularly peaceful and "not entirely satisfied" with the "crusading movement" (pp. 6, 20–21). Yet he acknowledges in a footnote (21 n. 57) that this is a "thin argument." Cf. Berry, "Peter the Venerable and the Crusades," 141–162. For a more balanced assessment, see Iogna-Prat, *Order & Exclusion*, 332ff; and Tolan, *Saracens*, 155–165.

understanding" (*fides quaerens intellectum*).²² The key for them was to find reasons or rational "proofs" to demonstrate that Judaism and Islam were imperfect religions.

To understand in general Alfonsi's dialogue on Islam and in particular his representation of Islam from the perspective of Moses the Jew, it is essential to realize that Christian scholars accused the Jews of being carnal readers. Their polemical charge, of ancient roots, was that Jews read scripture only for its literal sense.²³ Jews therefore fail to appreciate the spiritual or symbolic truths, hidden from plain sight, which can be grasped only by reading scripture for its allegorical or figurative sense. According to Frank Talmage Jewish readers were, in fact, "anything but die-hard literalists." They often searched texts for their esoteric (*nistar* or *bāṭin*) significance.²⁴ But the Christian charge of literalism was so well established that a twelfth-century Jew from Narbonne integrated it into his own polemic against Christianity. In this polemic, the *Book of the Covenant*, Joseph Kimhi has his Christian rival remark: "You understand most of the Torah literally while we understand it figuratively. Your entire reading of the Bible is erroneous for you resemble him who gnaws at the bone, while we suck at the marrow within. You are like the beast that eats the chaff, while we eat the wheat."²⁵

This elevation of spiritual over carnal reading in Christian polemics against Judaism formed part of a broader symbolic approach to texts. Non-literalist interpretations of scripture seemed persuasive in the twelfth century due to the existence of a widespread conviction, compellingly described by Marie-Dominique Chenu, "that every natural or historical reality possesses a *signification* which surpasses its raw existence." This conviction justified the view that the Old Testament contained, mysteriously hidden, everything revealed in the New. But it also justified symbolic interpretations of non-biblical texts. In this vein, Bernard Sylvester described an allegorical approach to pagan literature as "a kind of proof which envelops what is understood under

²² Hurwitz, "Fidei Causa," 10, 12.

²³ On the roots of this polemical charge see Boyarin, *Carnal Israel*, 1, 8, and elsewhere. On its iteration in the twelfth century, see Abulafia, "Jewish Carnality," 59–75.

²⁴ Talmage, "Apples of Gold," 313–14. Cf. Lockshin, "Tradition or Context," 173–186.

²⁵ As quoted in Talmage, "Apples of Gold," 313.

a fabulous narration of truth" (*genus demonstrationis sub fabulosa narratione veritatis involvens intellectum*).²⁶

In the introduction to Alfonsi's *Dialogues Against the Jews*, Petrus repeats the Christian accusation against Jewish readers. To explain to Moses why Jews erred in their understanding of scripture, he charges that Jews read the law superficially and interpret it "not spiritually, but carnally" (*non spiritualiter, sed carnaliter*).²⁷ Petrus Alfonsi knew that Jewish scholars did not always approach scripture in a literal way. In his polemic he actually cites, as Jeremy Cohen has pointed out, "an array of figurative, imaginative homilies that ranged far and wide beyond the letter of the biblical text." But from his perspective as a new Christian, "any Jewish interpretation of the Old Testament was necessarily literal and thus to be distinguished from the true, spiritual, Christological reading of Scripture, for such was the role of the Jews in the divine economy of salvation."²⁸ As a result, Moses in this dialogue becomes a stereotypical Jewish reader, whose literalist approach to the Bible leads him to conceive of God in anthropomorphic terms.²⁹ Adhering to the law of Moses, he obeys the "sacrifices" that the Lord commanded without realizing that these were "nothing but a figure and a sign" (*nihil nisi figura et significatio*) of the sacrifice of Christ.³⁰ He sees crosses as wooden idols, failing to understand how they commemorate the sacrifice of the Lamb of God.³¹ And, carnal minded as he is, he has difficulties grasping how the Tetragrammaton symbolizes the Trinity, which in turn represents substance, wisdom and will.³²

When Moses discusses Islam, he does so as a carnal reader. He is swayed by a materialist vision of Paradise that he derives from a plain reading of the Qur'ān. Thus he tells Petrus that Islamic law is "generous" (*larga*), for it promises worshippers "ineffable joys" after death.³³

²⁶ Chenu, *La Théologie au douzième siècle*, 161, 165, 173. On symbolic interpretations of scripture, also see Buc, *L'ambiguïté du Livre*.

²⁷ PL 540 / DD 5.

²⁸ Cohen, "Scholarship and Intolerance," 598. On Alfonsi's charge of carnality and literalism, see also Hurwitz, "Fidei Causa," 27–32.

²⁹ PL 541ff / DD 6ff. These pages refer to chapter 1, which aims to show that "the Jews understand the words of the prophets carnally (*carnaliter*) and explain them falsely." On Alfonsi's critique of anthropomorphism, see Hurwitz, "Fidei Causa," 98–120 and 194–200.

³⁰ PL 666 / DD 138.

³¹ PL 670 / DD 143.

³² PL 606 / DD 73; PL 611–612 / DD 78–79.

³³ PL 597 / DD 62.

He describes this Paradise as a “garden of delights.” The believers, who sit there on perpetual thrones under the shade of trees, feel neither hot nor cold.³⁴ Working as cupbearers, angels serve them milk in golden vessels and wine in silver vessels. And beautiful virgins, “whom neither human nor demonic touch has defiled,” join them.³⁵ This is, of course, a fairly faithful rendering of various Qur’ānic verses, though one might quibble with details lost in translation: the cupbearers are not quite angels, but “immortal lads” (*wildān mukhalladūn*); and the bashful maidens or *houris* will have been touched by neither man nor *jinn*.³⁶ What matters is that an afterlife of material delights seems attractive to Moses.

In response, Petrus remarks that Moses has represented Islam as well as Muḥammad himself would have done it, had he been present (*non minorem quam si ipse Mahometh adesset*), but he dismisses the religion’s lush rewards as attractive to “those who think that the delights of the body (*delicias corporis*) are the highest good.”³⁷ As a Christian, Petrus rather appreciates the spiritual delights of the soul. Unlike Muslims who held that the soul (or spirit) returns to the body after death, Petrus argues that body and rational soul are necessarily separated in the afterlife. The body, in his view, degenerates with old age. But the rational soul can actually become stronger as the body grows weaker. Incorporeal, it is able to survive death, for in no way does it depend on a body for its functions: to contemplate, to remember, to will, and to discuss the causes of things. Given his Aristotelian view that bodies are subject to the “corruption of death,” Petrus finds ludicrous the belief that humans inhabiting resurrected bodies would continue to perform “all the functions of the human body,” including eating, drinking, procreating and performing ancient rites.³⁸ On this basis he criticizes the Qur’ānic visions of Paradise as beliefs that cannot be corroborated by reason: “A wise person does not believe that Paradise is in the least like this.” When a soul has become separated from its body,” he declares, “a man cannot enjoy those worldly advantages in the way that he did previously.” But “the men of Muḥammad’s

³⁴ Cf. Qur’ān 76:13.

³⁵ PL 599 / DD 64.

³⁶ Qur’ān 56:17, 76:19; 55:56.

³⁷ PL 599 / DD 64. In general, on medieval European descriptions of “the Saracen body,” see Akbari, *Idols in the East*, 155–199.

³⁸ Here I refer back to the discussion on the resurrection in chapter 3 (PL 584–5, 585–6, 588–589, 590, 591), following Petrus’s explicit reference to it in chapter 5.

time, having neither law nor scripture, and being ignorant of every good except for war and the plough (*praeter militiam et aratrum*), desiring luxury and dedicated to gluttony, could easily be preached to in conformity with their inclination. If he [Muḥammad] had done otherwise, he [could] not have urged them toward his law.”³⁹

For Moses Islamic law is not only generous; it is also “built on a foundation of indestructible reason” (*super inconvulsae fundamentum rationis fundatam*). Islam seems to Moses a reasonable religion in part because God did not burden Muslims with multiple precepts. As an example, he mentions that God required Muslims to pray only five times a day. When Petrus turns to this matter, he remarks: “You say that Muḥammad commanded prayer five times a day. He wished for his law” to occupy a middle ground between Judaism and Christianity. This he wanted “neither on account of probity on his part nor on account of assistance from God (*adjutorium Dei*), but due to the counsel of his advisors. For the Jews, following their law, pray three times a day, while the Christians pray seven times a day. So this one, requiring neither three nor seven, established five times for prayer as a middle term.”⁴⁰

Both Moses and Petrus apparently refer here to the Muslim view that Islam espoused a middle way, with moderate requirements. Muslim tradition emphasizes that “religion is easy” (*al-dīn yusr*); and the Qur’ān 2:185 holds that God wishes for his worshippers ease (*al-yusr*), not hardship (*al-‘usr*).⁴¹ One of Alfonsi’s key sources on Islam, the Christian polemic attributed to al-Kindī, cites this Qur’ānic verse, with which Moses shows familiarity.⁴² But of particular relevance here is a

³⁹ PL 605 / DD 71–2. I discuss below this unusual description of pre-Islamic Arabs as adept at farming and warfare.

⁴⁰ PL 597 / DD 62 (Moses); PL 602 / DD 68 (Petrus).

⁴¹ Al-Bukhārī, *Ṣaḥīḥ*, vol. 1, book 2, p. 74, tradition no. 39. See Juynboll, *Encyclopedia of Canonical Ḥadīth*, 487. On the role in theological polemics of Muslim belief in Islam as an easy religion, see Maghen, *After Hardship Cometh Ease*, 53–4, 84–7, 94, 99.

⁴² For a study of this text in relation to early ‘Abbasid apologies by Christians writing in Arabic and Syriac, see Griffith, *Arabic Christianity*, article no. 1. Also see, by Griffith, *Church in the Shadow of the Mosque*, 86–88, 98–99. On al-Kindī’s influence on Alfonsi, see Guy Monnot, “Les citations coraniques dans le ‘Dialogus’ de Pierre Alfonse,” 270–272; and Tolan, *Saracens*, 148–154. Immediately before stating the principle about ease in religious requirements, the Qur’ān grants a dispensation to believers who are unable to fast during the month of Ramaḍān due to illness or to a journey (Qur’ān 2:185). Alfonsi cites this verse in part (PL 597–8 / DD 63), mentioning the dispensation but without including the principle behind it. Al-Kindī’s *Risāla*

set of oral traditions about Muḥammad's Ascension (*al-Mi'rāj*). During this night journey to the seven heavens, Muḥammad is enjoined to offer fifty prayers a day. When Moses the Prophet hears of this, he urges Muḥammad to return to his Lord and to plead on behalf of his community (*umma*) for a lighter burden. Heeding the advice, Muḥammad succeeds in persuading God to lower the requirement first to twenty-five and eventually down to five daily prayers. Moses opines that five prayers are still too many. But Muḥammad, reconciled, has obtained for Muslims what seems to him a reasonable standard, one that balances a desire to worship God numerous times with a practical need to alleviate religious duties.⁴³ In discussing the duty to pray five times a day, Moses defends the Islamic position. He represents Islamic law as rational and sacred, based as it is on God's revelations. Petrus, on the other hand, represents Islamic law as man-made and based not on Muḥammad's principles, but on the stratagems of his advisors.

Closely associated with prayer, purity rites figure in the dialogue as well. Moses explains that always (*semper*) before praying, in order to reach a state of perfect cleanliness (*perfecta munditia*), Muslims wash their anus (*culum*), genitals (*veretrum*), hands, arms, face, mouth, nose, ears, eyes, hair, and finally their feet. (An ablution this extensive is not normally required before prayer. Usually a minor ablution suffices, unless there exists the need to remove major impurities.) When Petrus turns to this ritual, he remarks: "What you praised, that before they pray they perform ablutions of their hands, arms, and so on for the other members of their body, this is irrelevant to prayer. For prayer

cites the Qur'ānic verse in full (pp. 16–17) and highlights the underlying principle (pp. 31–2). In addition it represents Islam as an easy road (*al-sahl al-manhaj*, on p. 34), conceding that Muslim customs (*sunan*) and revealed laws (*sharā'i*) offer comfortable accommodations (*tashīlāt*, on p. 204). It characterizes Christianity, in contrast to Islam, as a religion involving an arduous practice, which it exemplifies by reference to the life of austerity (*zuhd*) led by monks, who are required to pray seven times a day (p. 10). These citations derive from the Arabic text, *The Apology of El-Kindi*. The Arabic title cited in the bibliography (under Kindi) indicates that the book consists of two letters. For convenience, the text is here referred to as al-Kindi's *Risāla*.

⁴³ Al-Bukhārī, *Ṣaḥīḥ*, vol. 1, book 8, pp. 237–9, tradition no. 349; vol. 4, book 59, pp. 272–6, tradition no. 3207; vol. 4, book 60, pp. 336–8, tradition no. 3342; vol. 5, book 63, pp. 132–6, tradition no. 3887. Also see Juynboll, *Encyclopedia*, 691–2. On the transmission of the *Mi'rāj* story to the West, see Cerulli's *Il "libro della Scala" e la questione delle fonti arabo-spagnole della Divina Commedia*; and Cerulli's *Nuove ricerche*.

it matters to be cleansed inwardly, not outwardly.”⁴⁴ This criticism of a non-spiritual, legalistic approach to purity forms part, of course, of the broader Christian critique of carnality.

The fast of Ramaḍān presents another opportunity for highlighting divergent approaches to ritual law, the body and sexuality. “Muslims fast for an entire month,” Moses says. In the daytime during this month a man dares not eat, drink, or “sully himself” through sexual intercourse with his wife. At nighttime, however, all restrictions are lifted to make food, drink, and sex permissible. Moses highlights the merciful, flexible, and practical character of Islamic law by adding a detail: Muslims who are sick or traveling need not observe the fast at the prescribed time; they can make it up later. This fast to restrain the “vices of the flesh” reflects for Petrus only the “beginning of penance” (*initium poenitentiae*). “But tell me,” he asks, “how beneficial is it to fast in the day but then at night to eat three or four times, to savor fine meats and the best foods, and to enjoy women? These things do not weaken the flesh, but rather make it stronger.”⁴⁵ Petrus’s reaction to the moderating concessions of Islamic law clearly derives from a Christian regard for the virtues of penitence, asceticism, and self-abnegation.⁴⁶ In his view, as we have seen in connection with the resurrection, one way to strengthen the rational soul is to weaken the mortal body.

To use the body for procreation seemed fine to Petrus. But there was no “reason” (*ratio*) for the rule (*praeceptum*), which Moses had conveyed in plain terms, that allowed Muslim men to marry up to four wives lawfully.⁴⁷ Not surprisingly, given this position on marriage, Petrus pays considerable attention to the topic of Muḥammad in relation to his wives. Thus we hear how Muḥammad changed from an impoverished man to a merchant’s servant (*mercenarius*) and eventually to a rich man by marrying a wealthy widow, Khadija, and then claiming the mistress and all of her goods “by right of marriage.” And we hear, of course, about Zanab filia Ias (Zaynab bint Jaḥsh) and

⁴⁴ PL 597 / DD 62 (Moses); PL 602 / DD 68 (Petrus). Al-Kindī, *Risāla*, p. 161, already criticized earlier this emphasis on external purification of the body.

⁴⁵ PL 597 / DD 63 (Moses); PL 602 / DD 68 (Petrus).

⁴⁶ Frequently Christians accused Muslims of laxity, self-indulgence, lust and even sexual deviance. On this theme, see Daniel, *Islam and the West*, chap. 5. Also see Boswell, *Christianity, Social Tolerance and Homosexuality*, 279–283; and Jeffrey Cohen, “On Saracen Enjoyment,” 113–146.

⁴⁷ PL 598 / DD 63 (Moses); PL 604 / DD 71 (Petrus).

the “fire of lust” that led Muḥammad to ask Zed (Zayd ibn Ḥāritha) to divorce her, so that he could “copulate” with her frequently. This smacked to Petrus of adultery, shamelessly sanctioned by an invocation of the Lord’s command.⁴⁸

Muslim dietary law presented an interesting problem for Moses and Petrus in part because of shared dietary restrictions. Muslim and Jewish prohibitions are, as Michael Cook has shown, remarkably similar.⁴⁹ Jews following the laws of Kashrut could not, for example, consume pork, blood, the meat of animals that had not been ritually slaughtered, or wine made by gentiles. Christians following Acts 15 faced fewer burdens: they could eat like gentiles, required to abstain only from food sacrificed to idols, from blood, and from the meat of strangled animals. As a Jew Moses had little difficulty presenting Muslim dietary rules in a straightforward, nonjudgmental way. “Meat of all kinds is permitted to them, except for the flesh of pig, blood, and carrion.” But Muslims, he adds, reject meat that has not been “consecrated” in the name of God. As for wine, they are obliged to abstain from it “always” because they believe it leads to all sin. When Petrus turns to this topic, he does not accuse Muḥammad of adopting Jewish dietary rules already abrogated by Christianity. He focuses instead on the consumption of pork as a point of discord between Islam and Christianity; and he argues that Muḥammad prohibited the flesh of the pig in order to differentiate Muslims from Christians. He makes a similar point in discussing wine: that Muḥammad banned the drink altogether so as to make his law different by “a small measure” from the law of Moses.⁵⁰ What this accusation implies is that Muḥammad tinkered with God’s revelation in order to achieve, through symbolic legal changes, a sense of communal distinction for Muslims.

⁴⁸ PL 599, 691 / DD 65, 67.

⁴⁹ See Michael Cook, “Early Islamic Dietary Law,” 218–77. Despite the fact that key differences exist across Muslim sects and schools of law, Cook demonstrates significant parallels between the Levitical code and the “restrictive tendency” in Islamic law; see pp. 260–270 of his article.

⁵⁰ PL 598 / DD 63 (Moses); PL 604 and 605 / DD 71 (Petrus). The Latin text specifies that all meats are acceptable, “except for pork flesh and blood” (*praeter porci carnem et sanguinem*). The English translation, perhaps following the Spanish translation, restricts a general prohibition on the consumption of blood to a specific prohibition on “blood of the pig.” This is a valid translation of the Latin text. Yet, there is no ambiguity in Qur’ān 2:173, which lists first blood (*al-dam*) and then, separately in an annexation (*iḍāfa*), the flesh of swine (*laḥm al-khinzīr*).

Many similarities exist between Islamic and Jewish law, according to Moses. Like the Hebrews, he says, Muslims settle property disputes in trials that require upright witnesses and the swearing of oaths.⁵¹ In addition, he continues, Muslims follow Mosaic law in punishing the spilling of blood with the spilling of blood (Genesis 9:6) and in punishing the adulterer together with the adulteress, by stoning.⁵² Petrus concedes that Muḥammad's law certainly agreed with Moses's law in several respects.⁵³ But preferring to emphasize points of difference, he draws a contrast between Muḥammad and the Old Testament prophets who performed no miracles, yet adhered strictly to Mosaic doctrine and prevented innovation (*novitas*, that is, *bid'a*) from creeping into the law.⁵⁴

Before the rise of Islam in Arabia, Petrus says, most Arabs were soldiers (*milites*) and farmers (*agricolae*). Nearly all of them were idolaters, except for the Samaritans, who followed Mosaic law in a heretical fashion, and Jacobites and Nestorians. A trio of these "heretics," as Petrus calls them, shaped "Muḥammad's law" (*lex Mahomethi*). They showed him how to appeal to Arabia's wayward Jews and Christians

⁵¹ Curiously, scholarship on similarities between Muslim and Jewish law has often focused on various kinds of oaths. See, for example, Samuel Rosenblatt, "The Relations between Jewish and Muslim Laws concerning Oaths and Vows," 229–243; Hawting, "An Ascetic Vow and an Unseemly Oath?," 113–125; Patricia Crone, "Jāhili and Jewish Law: The *Qasāma*," 153–201; Libson, *Jewish and Islamic Law*, 104–105.

⁵² Petrus Alfonsi does not mention here the famous story of Jesus sparing the adulteress, but his reference to stoning as the Mosaic punishment for adultery may have been based on John 8:5. Deuteronomy 22:23–4 prescribes death by stoning for one particular sexual relation (an urban liaison involving an engaged virgin and a man who is not betrothed to her), but not for all forms of adultery. Leviticus 20:10 and Deuteronomy 22:22 specify that the punishment for adultery is death (perhaps by stoning, though not necessarily so). It is not entirely clear, then, that death by stoning is the Mosaic punishment. In relating Mosaic to Islamic law, Alfonsi might have mentioned that the Qur'an 24:2 prescribes a hundred lashes for the adulterer and the adulteress; and that the penalty of stoning to death emerged in Islamic law with the abrogation of this verse. On this subject, see Burton, *Sources of Islamic Law*, 7, 50, and elsewhere. Interestingly, as Burton shows on pp. 129–135, Muslim jurists often referred to the Torah in their discussions on punishing adulterous Jews, and they debated whether or not Jewish scripture had contained "the stoning-verse."

⁵³ PL 598 / DD 64 (Moses); PL 605 / DD 71 (Petrus). Petrus Alfonsi's discussion of Islamic law is, in tone and content, markedly different from the one in al-Kindi's *Risāla*, pp. 120–126. Al-Kindi does remark on parallels between Mosaic and Islamic legislation. He mentions specifically that Moses arrived at the principle of "an eye for an eye" (Exodus 21:23–24, Deuteronomy 19:21) long before Muḥammad (Qur'an 5:45). But this point occurs in a highly charged discussion that divides laws into three kinds: revealed, natural, and satanic law.

⁵⁴ PL 600 / DD 66.

by preaching to them what they already believed in. Those who were unwilling to believe in his mission freely were persuaded to do so by fear of the sword.⁵⁵

This description of Arabian society is puzzling. Instead of hearing of nomads practicing animal husbandry and of merchants engaging in the leather trade, we hear of farmers, soldiers, and scattered heretics. At the advent of Islam agricultural development in the Ḥijāz was limited, although farming existed on a small scale in relatively fertile places, such as Medina and al-Ṭāʾif.⁵⁶ Furthermore, there was no state in place to support a class of professional soldiers. An army, as an order of society, did not yet exist. That would come later, with the Arab conquests. In relation to Muḥammad's lifetime, it would be more accurate to speak of caravan raiders or tribal warriors.⁵⁷ But these corrections are beside the point. How did Alfonsi's description of Arabian society arise? And what meaning did it have for his audience?

There existed in the West a standard way of imagining society as if divided into three orders, each with its own function. Over the years many variations developed of this theory of three functional orders. But for our purposes we need to focus only on the early and influential social imagination of Haymo, a Carolingian monk from Saint-Germain of Auxerre. He envisioned the Roman as well as the Jewish people as having been divided into three orders: senators, soldiers, and farmers. He then reconfigured these orders to describe Christian society in ideal terms as divided also into three orders: priests (*sacerdotes*), soldiers (*milites*), and farmers (*agricolae*). Now, any Latin reader familiar with this scheme would not find surprising the presence of soldiers (those who fight) and of peasants (those who work) in Arabian society, as described by Petrus. What would strike them is the

⁵⁵ PL 600 / DD 65–6. By “Arabs” Alfonsi generally refers to the dwellers of the desert of Arabia who worshiped idols and ignored God. See his usage in PL 603 and 604.

⁵⁶ For an argument that agriculture was relatively developed in the Ḥijāz, see Heck, “Arabia Without Spices,” 564–566. For a critique of that argument, particularly in its application to Mecca, and for an intriguing analysis of the Qurʾānic evidence on agriculture, see Crone, “How did the Quranic Pagans Make a Living?,” 387–399.

⁵⁷ For an interpretation of early military activities, see Ella Landau-Tasseron, “Features of the Pre-Conquest Muslim Army in the Time of Muḥammad,” 299–336. Also see Donner, *Early Islamic Conquests*, 41–2; and Kennedy, *Armies of the Caliphs*, 1–2. Kennedy remarks that tribesmen before the Arab conquests engaged in military activities, but that they did not “form armies,” with an “army” defined as “an identifiable unit in society” in opposition to, say, priests and farmers.

absence of an order of senators or of priests. In their place we have a handful of heretics, too few to make an order. But senators or priests fulfill the highest functions in society. They lead, practically or morally, the lower orders. Without them, chaos and injustice would reign over the lives of laborers and warriors. This, then, is what Petrus's social vision likely evoked: an impoverished society, composed of peasants and fighters, in desperate need of religious guidance and political leadership, of law and order. Indeed, as we have seen, when he refers to the Arabs as "ignorant" yet adept at warfare and agriculture, he is advancing an explanation for Muḥammad's success in converting these people to Islam.⁵⁸

As a convert, Petrus was poised to speak authoritatively about conversion. Conversion largely meant to him changing his adherence from one religious law to another. Thus, after advancing his case on several fronts he asks Moses, "How, then, can you say that I, having renounced my law [that is, Jewish law], ought to follow his [that is Muḥammad's] law rather than Christian [law]?"⁵⁹ To explain why he decided not to follow Islamic law, he calls into question, as we have seen, the rational basis of various precepts. In addition, he argues that Muslims themselves have not adhered to Islamic law with steadfastness and uniformity. All Muslims, he claims in a reference to the origins of the wars of apostasy, wanted to abandon Muḥammad's law after Muḥammad's death, when it became clear to them that his body did not rise to heaven after three days, as they had expected, and that it had begun to smell badly.⁶⁰ Haly filius Abytharii, otherwise known

⁵⁸ Here I refer back to PL 605 / DD 71–2, already cited above in note 39. In general on trifunctional theories, see Duby, *The Three Orders*. On Haymo, see pp. 108–109 of Duby's book; and also Iogna-Prat, *Order & Exclusion*, 14–15. I thank David Wasserstein for helping me to figure out the meaning of Alfonsi's description of Arabian society.

⁵⁹ PL 601 / DD 67. Christians understood conversion in a variety of ways. To convert from Judaism to Christianity meant in part to abandon superseded Jewish laws and then to undertake spiritual (non-legalistic) edification; see Morrison, *Understanding Conversion*, 104, 107, 185. Conversion could imply not merely baptism and a profession of faith, but continued adherence to Christian ritual practices, on which see Van Engen, "Faith as a Concept of Order in Medieval Christendom," 19–67. That said, Alfonsi's formulation here, which betrays an understanding of conversion to Christianity as adherence to Christian *law*, strikes me as unusual and perhaps due to Alfonsi's Jewish background.

⁶⁰ Here Alfonsi perhaps adapted the story about Muḥammad's death from the anonymous *Istoria de Mahomet*, written around 850. See Wolf, "The Earliest Latin Lives of Muḥammad," 97.

as 'Alī ibn Abī Ṭālib, coaxed them back into the fold by a clever explanation. He reassured them that their prophet would rise to heaven, but only after burial of the corpse. The death of Muḥammad led some Muslims to experience deep regret and then to practice, as a form of atonement, extreme abnegation. Among the penitents were Hazan and Hozam, the sons of Muḥammad's scribe ('Alī ibn Abī Ṭālib). Concerned about their self-mortification, 'Alī revealed to them the facts about Muḥammad. This disturbed them so that they began to eat and to drink wine, and "just as they had strongly persisted in his [Muḥammad's] law previously, so at last they began to renounce the law, though not entirely." A faction of the Muslims (*pars gentis*) then followed Hazan and Hozam in their customs.⁶¹ Confounding as is this history of the movement of the penitents (*tawwābūn*) and the origins of the Shī'ite-Sunni split, the main point that it makes is fairly clear: that Muslims who grasped the truth about Muḥammad's death lost their faith in Islam and began to slacken in their observance of Islamic strictures.

To explain further his choice not to follow Islamic law, Petrus raises the issue of scriptural contradictions. He points to a discrepancy between the command to expand the realm of Islam by force, through war, and the value of a peaceful, gentle approach to conversion.⁶² On the one hand, he argues, "Muḥammad ordered" his followers "to plunder, capture and kill God's adversaries until they signal that they believe" in Islam or until they agree to pay a poll-tax (*census*, the *jizya*). But the Qur'ān, on the other hand, includes verses that suggest a spirit of religious tolerance and with it an implied rejection of a violent approach to conversion. Thus, Petrus cites the famous verses to support this position: "You have your religion and I have mine" (109:6), which he renders as "To me my law, and to you a different law" (*mihi lex, et vobis lex discors*); and "There shall be no compulsion

⁶¹ PL 605 refers to al-Ḥasan and al-Ḥusayn as two brothers, "scribes" (*scriptores*) of Muḥammad. But they were children under ten when Muḥammad died. DD 72 identifies them correctly as "sons of Muḥammad's scribe." According to Muslim tradition, 'Alī ibn Abī Ṭālib was one of the men who wrote for Muḥammad; he appears in the list given by al-Ṭabarī, *Ta'rikh*, vol. 9, p. 237. Evidently Alfonsi expected his readers to identify 'Alī as Muḥammad's scribe and al-Ḥasan and al-Ḥusayn as 'Alī's sons. However, as variations in the Latin manuscripts indicate, Latin readers often failed to make these connections.

⁶² Here, too, Alfonsi follows al-Kindī, *Risāla*, 182. Monnot, "Citations coraniques," demonstrated his debt to the *Risāla* by paying attention to the order in which Qur'anic citations appear.

in religion" (2:256), which he renders as "There must be no violence in the law (*violentia in lege*)." In each of these cases he translates *dīn* (religion) as *lex*. "So tell me Moses," Petrus presses on, "Why then do you enjoin me to believe in a [religious] law (*lex*) that is at variance with itself?"⁶³ This rhetorical question, pointing to a contradiction between a peaceful and a violent approach to conversion, helps Petrus to explain why he chose Christianity, freely and rationally, rather than Islam.

Moses, incidentally, defends the contradictions in the Qur'ān by explaining that this book was revealed in stages, with later revelations abrogating earlier ones. Petrus argues against that view, which is based on the order that Muslim tradition advanced to explain the circumstances under which Muḥammad received revelations, first in Mecca and then in Medina. We cannot know which parts of the Qur'ān came first and which later, Petrus holds, because the text does not follow a chronological order. Contradictions are present in the Qur'ān because variant readings, or versions, of Muslim scripture emerged after Muḥammad's death. In his view the absence of a chronological arrangement of the revelations, together with the presence of contradictions in the text, rules out authorship by Muḥammad. The Qur'ān was written, he argues, by Muḥammad's companions.⁶⁴

As this debate on the Qur'ān makes clear Moses and Petrus each explain the emergence of Islam in historical terms. Whereas the first tends to follow the traditional Muslim version, the second offers a kind of revisionist reconstruction. Nowhere is the split between them clearer than in their discussion of the *hajj* and associated rites. "Year after year" (*per singulos annos*), Moses explains, all (*omnes*) are "required to go to the house of God," located in Mecca, and there to worship.⁶⁵ Clothed in seamless garments they circumambulate that house, the Ka'ba, and then, following the law's command, they throw

⁶³ PL 603–4 / DD 70.

⁶⁴ PL 604 / DD 70–71. The discussion on the early history of the Qur'ān in al-Kindī's *Risāla*, 137ff, is far more comprehensive and subtle.

⁶⁵ Technically speaking, the pilgrimage is an annual festival, which takes place during the month of Dhū al-Ḥijja, but it is incumbent on Muslims only once in a lifetime. If Alfonsi had paid any attention to the customs of Huesca's Muslims, he would have noticed that very few of them actually made the journey to Mecca on any given year. Grau Monserrat, "Contribución," 227–272, at 239, cites figures (of questionable reliability) on the limited frequency of pilgrimage to Mecca.

stones (*lapides*) backwards, between their legs, to the devil.⁶⁶ Moses proceeds by providing God's house with a biblical genealogy. Adam built it to honor his Lord after the exile from Paradise. It became a place of worship for all of Adam's descendants, until Abraham. During his visit to Mecca, Abraham "strengthened" and "repaired" that house, and offered sacrifices to God. After his death he entrusted the Ka'ba to his son Ishmael. Ishmael and his progeny worshipped there through the generations until the birth of Muḥammad. When Muḥammad was born, "God promised him and his followers this very inheritance."⁶⁷ Muslims thus appear as the rightful heirs of a precious temple, with a long monotheistic history.

In contrast Petrus presents what Bernard Septimus has called "the secret history of the Ka'ba."⁶⁸ After dismissing the association of the house with Adam and Abraham as a fabrication, he remarks: "Even before Muḥammad preached the law, the house was full of idols. And if only you knew, Moses, what kind of house this was, and what secrets were concealed there..." Urged by Moses, who concedes that he does not really know why Muḥammad prescribed the *ḥajj*, Petrus reveals that the cult at Mecca originated with Lot's sons, Ammon and Moab, products of incest. Twice a year, to coincide with pagan astrology, they and their followers worshipped a black rock to honor Saturn and a white rock to honor Mars. They celebrated in a naked state, with shaved heads, by burning incense, in a fashion reminiscent of rites performed in India.⁶⁹

This description of the Ka'ba as a pagan foundation served to illustrate the pre-Islamic Arab cult. But Petrus needed to explain what transformation occurred with the rise of Islam. "The Arabs," he wrote, "adored these idols with Ammon and Moab. As Muḥammad arrived a long while afterwards, he was unable to destroy the ancient custom

⁶⁶ The rocks that Alfonsi mentions are usually referred to in Arabic traditions as pebbles (*ḥaṣāyāt*), which would be better translated by *lapilli* or *calculi*. In general on this ritual as described by Alfonsi, see the fine article by Bernard Septimus, "Petrus Alfonsi on the Cult of Mecca," 517–533. Septimus discusses Alfonsi's description of the stoning ritual, which differs significantly from the descriptions in Muslim sources, on pp. 526–7.

⁶⁷ PL 598 / DD 63.

⁶⁸ Septimus, "Petrus Alfonsi," 533 n. 64. In this paragraph I simplify a complex account with a complex history, which is the subject of Septimus's article.

⁶⁹ PL 602–3 / DD 68–9. This comparison between the *ḥajj* and the rites of India derives, like so much else, from al-Kindī's *Risāla*, p. 171.

(*pristina consuetudo*). So he permitted [worshippers] to circumambulate the house, [though] covered [now] with seamless clothes, as if to change the custom in some way. Nevertheless, because he did not wish to give the impression that he was teaching [Muslims] to sacrifice to idols, he built a relief in the likeness (*simulacrum*) of Saturn in a wall, in a corner of the house, concealing its face by turning its back toward the outside.” As for the idol of Mars, it could not be concealed because it was sculpted on all sides. So Muḥammad buried it under ground, placed a stone over it, and ordered Muslims performing the pilgrimage “to kiss these stones,” the idols. In addition he ordered them to throw stones backwards, under their legs, and humbly to bare their backs, “which is a sign of the ancient law.”⁷⁰

Once again the dialogue focuses on Islamic law at its origins and in relation to pre-Islamic practices. Islamic law, in Petrus’s view, derived in part from Mosaic law (as in the case of dietary rules) and in part from pre-Islamic Arab custom (as in the case of pilgrimage rites). But it was not an exact copy of its original sources. Minor variations entered into it, for different reasons: because Muḥammad’s exposure to older monotheistic traditions occurred under Samaritan or Nestorian influence, for example, or because Muḥammad sought to render innocuous the idolatrous practices that he had no power to change. In all of this Muḥammad’s role in history appears very modest indeed. Instead of heralding major religious changes, based on original revelations, he merely alters slightly existing laws and practices—standard monotheistic laws and practices, as well as pagan and heretical ones. Yet in one respect Petrus does give Muḥammad more credit: he highlights Muḥammad’s rhetorical skills, his talent for eloquence, to explain why he succeeded in swaying others to believe in him as a prophet.⁷¹ Rhetoric served Muḥammad to present Islamic law in an appealing manner, so as to persuade particular audiences or social groups (Christian heretics, lustful Arabs, idolatrous worshippers) to join Islam.

In response to Petrus’s account of the secret reason behind the *ḥajj*, Moses draws us, as a carnal reader, back to a normative Muslim text: “I told you that I do not know the purpose [of the *ḥajj*], because nowhere did I discover it written down (*quia nusquam reperi scriptum*). I do, however, know one [reason] for throwing the stones. [Some Mus-

⁷⁰ PL 603 / DD 69.

⁷¹ PL 600 / DD 65.

lims] say that they do it to make the devils flee. [Nevertheless] in their books I have seen it written that Bomar [‘Umar ibn al-Khaṭṭāb], one of Muḥammad’s ten companions,” when he was kissing the stones (*lapides*), as is customary, remarked: “I say to you, stones, I know that you have the power neither to help me nor to harm me. I pursue this custom because Muḥammad did it.” Here we have a fairly straightforward, though inaccurate, translation of a canonical tradition, which conveys how ‘Umar rationalized the ritual.⁷² Thus understood the ritual is performed not in remembrance of a pre-Islamic custom, nor on account of any pantheistic belief in the magical power of stones to affect human beings. It is performed for one reason alone: to commemorate the practice of Muḥammad.

The belief in the power of stones to banish devils upsets Petrus, who initiates a spirited exchange on the topic with Moses.

Petrus: “What you asserted, that devils can be banished by throwing stones at them, appears not to follow reason. What is not perceived by a corporeal sense can by no means be made to flee easily. Demons are [rather] expelled by [utterance of] the divine name.”

Moses: “Yet I have heard some say that they have seen demons, heard them, and even spoken with them. I dare you to say that demons may not be perceived by a corporeal sense.”

Petrus: “One may be unable to perceive angels by a corporeal sense, but they become visible to those who follow God’s commands. Similarly, the devil can appear visible to his friends.”

Moses: “I wish to know, in fact, by what teaching or by what art I will be enabled to see and to speak with them.”

Here the dialogue on Islam devolves into a joke on Moses. Carnality drives him to read a Muslim ritual in a superficial manner, to accept Muslim interpretations of it without expressing even mild skepticism—but, worse, it inspires in him a perverse desire to see devils in the flesh.

* * *

⁷² PL 603 / DD 69. The Latin text refers to stones in the plural, as indicated above, but the original Arabic refers either to a single stone (*al-ḥajar*) or specifically to the black stone (*al-ḥajar al-aswad*). See al-Bukhārī, *Ṣaḥīḥ*, vol. 2, p. 385, tradition no. 1597 (cf. p. 389, no. 1605); *Ṣaḥīḥ Muslim*, part 1, p. 520, tradition no. 3128, in *Jam‘ al-jawāmi‘ al-aḥādīth*, vol. 4; Ibn Hanbal, *Musnad*, vol. 1, p. 119, tradition no. 381. Also see Juynboll, *Encyclopedia*, p. 138.

Richard Southern and other scholars specializing on Western views of Islam did not describe Petrus Alfonsi's account as unusually objective for its time with this disquisition, on the perception of demons, in mind. The objectivity of the text derived, according to their viewpoint, from Alfonsi's scholarly commitment to reason, from his ability to convey Muslim traditions rather accurately, without deliberate distortion, and from his personal knowledge of Islam, acquired by living in al-Andalus. Alfonsi himself made much of his rational approach to religion; and certainly he emphasized the fact that in his youth he had frequently interacted with Muslims. These points served him to present his conversion to Christianity as rational and his account of Islam as authoritative.

Because Moses endeavors to represent Islam in an unbiased way, his traditionalist account may fulfill better the claim to objectivity than Petrus's revisionist account. But it is important to remember that a "Jewish" lens, with the tint of carnality, filters his representation of Islam. This subjectivity is apparent in the exchange between Petrus and Moses on stoning the devils, when we learn as much about Western views of Muslims as about Christian views of Jews. Moreover, Moses's account is not objective in the sense of representing Islam accurately as it appeared in a particular location at a particular point in time. It says nothing about the makeup of the Muslim community of Huesca, where he was baptized, nor about the particular flavor of Muslim life near the Aragonese frontier at the turn of the twelfth century, under Muslim or Christian rule.⁷³ Its description of Muslim law and practices derives entirely from Muslim sources that did not originate in Huesca nor even, for the most part, in al-Andalus.⁷⁴ Furthermore, this bookish representation of Muslim rituals is based on prescriptive sources. But Muslim religious life in Huesca, as elsewhere, did not follow to the letter orthodox prescriptions, and it incorporated a host of "innovative"

⁷³ It is instructive in this respect to compare Alfonsi's *Dialogues* on Islam to al-'Udhri's account of the Muslims of Huesca (Washqa). See, for instance, al-'Udhri, *Nuṣūṣ 'an al-Andalus*, 56–7, where he indicates the scarcity of Muslims of Arab origin in this frontier region. On the ethnicity of the Muslims of Huesca and on Islamization and Arabization there, see Laliena and Sénac, *Musulmans et Chrétiens*, 34–5 and 49–50; Sénac, *La frontière et les homes*, 120–123 and 131–134. On the Ebro Valley as a frontier region, see also Catlos, *Victors and the Vanquished*, chap. 1.

⁷⁴ Indeed, it unclear where in al-Andalus Moses lived; see note 10 above.

practices which jurists considered reprehensible.⁷⁵ Of these Moses has nothing to say.

Petrus himself gave Moses credit for representing Islam as if he were Muḥammad, faithfully and in an attractive light. But such a representation seemed to him subjective or, as he described it, deceptive. From his point of view Muḥammad was a false prophet; Muslim tradition offered a spurious account of Islam's origins; and Islamic law derived not from divine revelations, but from foreign borrowings, pagan customs, and rhetorical calculations. In his own account of Islam he strived, unlike Moses, to criticize the religion and its laws. He suggested that Muslim traditions concerning the purity of the body clashed with Christian values whose worth he regarded as self-evident; he highlighted what he saw as contradictions in Muslim scripture (the distinction between a peaceful and a violent approach to non-Muslims); he questioned whether particular laws (such as the one allowing men to marry up to four wives) had a basis in reason; he disregarded internal traditions about a Muslim rite (the *ḥajj*) in favor of a secret, external source; and he advanced an alternative history of Islam's origins, which emphasized Samaritan, Jacobite, and Nestorian influences in Arabia and which attributed authorship of the Qur'ān not to Muḥammad, but to his companions.⁷⁶

All of this helps us to understand better the dialogic tension between Moses and Petrus. But there remains, perhaps, a need to take an extra step: to speculate about the relationship between Petrus Alfonsi and the characters of his dialogue. Speculation is required here because we have no direct access to the author. What we might make, as readers, of

⁷⁵ It is also instructive to compare Alfonsi's account of Islam to a famous book on innovations by Alfonsi's contemporary al-Ṭurṭūshī (d. 1126). Before he emigrated to the East, al-Ṭurṭūshī lived by the Ebro river, near Huesca, where Alfonsi converted to Christianity. Born in Tortosa, al-Ṭurṭūshī took lessons in Islamic law from a jurist in Zaragoza. For a short biographical notice, see Grau Monserrat, "Contribución," 245. For an analysis of al-Ṭurṭūshī's book on innovations, *Kitāb al-ḥawādith wa-al-bidā'*, see Fierro, "The Treatises against Innovations," 204–46.

⁷⁶ In "Petrus Alfonsi," Septimus shows that Petrus's supposedly "Christian" polemic "draws heavily on Jewish traditions." As a result, he argues on p. 533, "it is hard to take Moses and Petrus too seriously as consistent representatives of specifically Jewish and Christian points of view on Islam." This is an important argument that counters religious stereotypes by demonstrating how blurry the line was between Jewish and Christian polemics. While acknowledging this blurriness, my intention here has been to highlight how Petrus Alfonsi used the dialogic form quite deliberately, with literary artifice, to distinguish a stereotypically "Jewish" from a stereotypically "Christian" representation of Islam.

this relationship between the author and his characters would depend, in this case, on our view of Petrus Alfonsi's sincerity. Petrus Alfonsi's central conceit was to write a dialogue not between an anonymous Jew and a Christian, but between two characters who signify his own split self, as a man divided by the rite of baptism. This technique invites readers to identify the author, as a new Christian, immediately with Petrus and remotely with Moses. But any reader doubting the sincerity of Alfonsi's conversion might resist a facile identification and propose in its place an interpretation of Moses as Petrus Alfonsi's crypto-Jew.

The key to solving the hermeneutic problem is to acknowledge Petrus Alfonsi's choice to write a dialogue instead of a monologue. This choice allowed him to represent Islam (and Judaism, for that matter) richly, with some ambiguity, on two registers.⁷⁷ Here we must recall what Mikhail Bakhtin said about Dostoevsky's heroes: that they "are, by the very nature of his creative design, not only objects of authorial discourse but also subjects of their own directly signifying discourse." Moses and Petrus each follow a different symbolic logic; they possess, like the characters of Dostoevsky's novels, separate consciousnesses. But they differ from Dostoevsky's characters in two interrelated ways. In Dostoevsky's novels the distance between the author and his fictional characters is great, so much so that the characters appear to form, independently, what Bakhtin described as "a genuine polyphony of valid voices."⁷⁸ In Alfonsi's dialogue, by contrast, the characters are presented as if they depended entirely on the author, whom they personify symbolically at different stages of his life. Hence the implied distance between author and characters is small. But, more important, Moses and Petrus do not represent two equally valid voices. A theological disputation can allow, like a fictional novel, for a plurality of perspectives. In the end, however, one religion, one perspective, must of course triumph. In this duet, one voice indeed dominates and at times overwhelms the other. The weaker voice nonetheless plays a critical role. Instead of singing in harmony, it offers a dissonant descant, which makes the piece as a whole darker and more complex, marked

⁷⁷ Compare to Burman, *Reading the Qur'ān*, 3–4 and 7, who writes that "tightly scripted rules" forced polemicists to suppress "the expression of any sense of ambivalence, any complexity of attitude about the religiously other." Yet by reading over the shoulders of medieval Christian scholars, Burman has demonstrated "a complexity of attitudes toward the *Qur'ān*."

⁷⁸ Bakhtin, *Problems of Dostoevsky's Poetics*, 6, 7. I thank Yael Halevi-Wise for this reference.

by an unresolved tension. Alfonsi's dialogue, as a result, is anything but a melodious solo.

How in his own mind the author might have identified with Moses or Petrus remains, in my view, a mystery. What matters for our purposes is that he wanted his Christian readers to associate him weakly if not negatively with Moses, but strongly, positively with Petrus. He wrote his dialogue as a Christian for Christians. His aim was *not* to provide an objective, monologic account of Islam, but to represent two conflicting accounts of the rival religion, a carnal Jewish account and a revisionist Christian account, engaged in an uneven match. The pugilistic Petrus wins every round of this debate. He is sharper, more learned, and more critical than Moses. Petrus knows everything that his old friend Moses knows, and more. If Moses is bound as a Jew, as a Christian version of a Jew, to the literal interpretation of normative Muslim texts, Petrus is liberated, as a Christian, from slavish adherence to these texts. As a reader Petrus is more sophisticated. He consults a wider range of texts, citing standard Islamic sources but also "secret" polemics. In discussing these texts critically, he manipulates notions of canonicity to his advantage. Unlike Moses, he is also openly skeptical about the Muslim version of Islam's origins. Revising Moses's traditional account, he endeavors to discredit Muḥammad's religion on moral, rational and historical grounds. Indeed, through the voice of Moses, Alfonsi contributed something quite valuable to his Christian readers: a sympathetic and informative account of Islam. But through the voice of Petrus he offered them a far more valuable gift: a critique of Muslim rites and laws that served, in a symbolic sense, to confirm their belief in Christianity as the true spiritual faith.

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SYSTEMATIC GROWTH IN SUSTAINED ERROR:
A CASE STUDY IN THE DYNAMISM OF POST-CLASSICAL
ISLAMIC SCHOLASTICISM*

Asad Q. Ahmed

IN HONOREM NOSTRI MAGISTRI DOCTISSIMI
ET CARISSIMI MICHAEL ALLAN COOK

I. *General Introduction*

Scholars of Islam are familiar with the following longstanding narrative. The Islamic scholarly tradition is generally divided into two types: the traditionalist (*manqūlī*), which concerned itself with the transmitted religious canon and its allied disciplines,¹ and the rationalist (*ma'qūlī*), which perpetuated, appropriated, and transformed the Greek philosophical and scientific legacy.² It is a commonplace—both in the scholarly and lay literature—that the latter saw its heyday in the classical period (ca. 184/800–596/1200).³ Purportedly, this era began to come to a close in the late fifth/eleventh century, when the celebrated al-Ghazālī (d. 504/1111) wrote such works as *The Destruction of the Philosophers* and *Disabusing People of Theology*, thus sounding the death-knell of rationalism in the Islamic intellectual tradition. From this point on, so the story continues, the rationalist tradition remained stagnant—if it did not in fact follow a trajectory of sharp decline—in the droning repetitions of scholastic commentaries that populated the curricula of Muslim religious colleges (sg. *madrasa*). In

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¹ The *manqūlāt* category includes, but is not limited to, the Qur'ān, *ḥadīth*, their interpretations, lexicography, grammar, syntax, *ʿilm al-maʿānī*, law, and *uṣūl al-fiqh*.

² The *ma'qūlāt* category includes, but is not limited to, certain genres within *ʿilm al-kalām* and the disciplines of logic, *falsafa*, mathematics, and astronomy.

³ For all dates, the first number is Hijri and the second Gregorian.

time, traditionalism, usually accompanied by a rather strict scriptural literalism, came to dominate Muslim scholarly discourse.⁴

The explanatory force of the foregoing narrative for the development of post-classical (ca. 596/1200–1318/1900) Islamic social, political, and intellectual history is so seductive and debilitating that few scholars have bothered to study works in the rationalist strain for the period under consideration, though these works number in the thousands, collecting dust in accessible libraries around the globe. By contrast, for example, the Greek commentaries on Aristotle and works in Christian scholastic theology, which pale beside the Muslim output in terms of quantity, have not only been heavily studied, but have also been used to set the scholarly record straight: the preferred mode of intellectual discourse in the Greek and Latin traditions had certainly become scholastic, but each new generation broke new ground within the dialectical traditions of the commentary/gloss genre.⁵ Did the same thing happen in the case of Islam?⁶

⁴ Watt writes in much starker terms, “With the appearance of many new centres of Islamic learning the volume of theological thought probably increased, but its quality is usually held to have declined, especially in the field of Kalam. Little originality was shown, and the chief effort of theologians went into the production of commentaries, super-commentaries and glosses on earlier works... the lack of originality and general rigidity and conservatism in theology accompanied a low level of cultural achievement in other respects.” Watt is speaking about the period 1250–1850 (Watt, 134). More recent statements of this sort were conveniently documented by K. El-Rouayheb (see footnote 6 below).

⁵ On the impact of ancient commentaries and glosses on Aristotelian base texts, see e.g. *Aristotle Transformed*, esp. Ch. 1; on innovations within medieval scholastic logic, see e.g. S. Ebbesen, “Ancient Scholastic Logic;” on a general introduction to the scholastic method of the Latinists within their medieval institutional settings, see e.g. T. B. Noone, “Scholasticism;” and on the reinterpretations of theories of time within medieval Latin scholastic commentaries, see e.g. Trifogli, “Averroes’s Concept of Time.” There is no dearth of such studies in fields comparable to Islamics.

⁶ In the past decade, a few scholars have called for and contributed to a reassessment of Muslim *ma’qūlī* history for the post-classical period. See, for example, Wisnovsky, “Nature and Scope,” El-Rouayheb, “Sunni Muslim Scholars,” and Gutas, “The Heritage of Avicenna.” Several years ago, Messick had supplied us with an excellent theoretical base for grappling with the commentary/gloss texts of Islamic scholasticism, but Islamicists focusing on the pre-modern period have not used this work much (See Messick, *The Calligraphic State*, esp. chapters 1, 4, 5, and 7). The contributions noted here, along with some others, have suggested a paradigm shift in our understanding of post-classical Islamic intellectual history. It is rewarding to see the field reconsider matters, but it is equally troublesome to notice the emerging *unskeptical* position that the period under question was even more intellectually dynamic than the period that preceded it. This drastic *volte face* position is equally a truth by convention and needs to be tested no less than the earlier myth; we have not done the work to prove matters either way.

A suitable answer to this question will have to be the product of cumulative research that falls generally within various intersecting categories. First, scholars will need to identify the significant technical terms and concepts that occur in our sources and trace their diachronic development within a variety of post-classical rationalist genres. Second, within the rationalist field, they will need to study the sustained intellectual contributions of various well-defined scholarly networks and schools of thought. Both these lines of investigation will benefit immensely from attention to the role that curricular boundaries, sectarian divisions, systems of patronage, scholarly factions, and other sociopolitical factors play in shaping the history of ideas. In other words, technical work on specific themes and ideas and on scholarly lines will require contextualization beyond the technical texts. As a third step and as an extension beyond the original question of dynamism or decline of post-classical Islamic rationalism, Islamicists will have to determine whether and to what extent the *ma'qūlī* tradition penetrated the hermeneutical boundaries of the *manqūlī* tradition. In other words, what grade of cross-pollination existed between the *ma'qūlī*-*manqūlī* divide and did this rubrication of knowledge have any real significance in the history of Islamic scholarship? Once such research has been carried out to some degree, theoretical questions about the very notions of dynamism, decline, authorship, canon, and originality will have to be reframed with reference to the Islamic scholarly tradition. The task is overwhelming indeed and will require the sustained efforts and collaborations of generations of scholars.⁷

In this short article, I intend to contribute to the first of these three lines of inquiry by presenting a technical study of a main topic of concern in the history of post-classical Arabo-Islamic logic. The details of my study are addressed to historians of medieval logic, philosophy, and theology, but what they tell us about transformations—and the mechanisms underlying the transformations—within the discipline of logic should interest Islamicists more generally. I therefore summarize the global picture in the next two sections. In section IV, I hope to have offered an explanation of the specialist details by way of some examples. The rest of the article, starting in section V, is the

⁷ Research of this sort can really only be facilitated by the searchable digitization of a mass of manuscript and rare printed material. Such a project has now been launched at McGill University by R. Wisnovsky and F.J. Ragep. See <http://islamsci.mcgill.ca/RASI/stis.html> (accessed November 13, 2009).

extended technical proof of the more general observations and conclusions. Thus, the reader not specializing in the fields of Arabic theology, philosophy, and logic should have no difficulty with sections II and III; and she may also wish to work through section IV for a non-formal sample presentation of the argument. Section V, however, assumes some knowledge of medieval logic in general and Arabo-Islamic logic in particular.

II. A Summary of the Outcomes

During the post-classical period, the figure of Avicenna (d. 428/1037) loomed large in the scholastic tradition of *falsafa* and *kalām* and the independent curricular texts and their commentaries and glosses often undertook the task of interpreting his system in a fashion that would be internally consistent. One aspect of the Avicennan system that received continuous attention was his semantics of the subject terms of propositions. The reason for this concentration was rather straightforward: the starting point of any coherent deductive system of the Aristotelian type is the attributive proposition, which comprises a subject and a predicate;⁸ and the manner of one's understanding of these latter two affects rules of conversion and contradiction;⁹ and these, in turn, are necessary building blocks of the syllogistic.

So in the curricular books of the post-Avicennan period, such as the *Shamsiyya* of al-Kātibī (d. 674/1276) and the *Maṭālī'* of Urmawī (d. 682/1283 or 692/1293) and their respective commentaries and glosses,¹⁰ quite a bit of space is devoted to the subject term. Base texts,

⁸ An attributive proposition is of the sort, "Every A is B," where the subject, A, is that of which some information is given and the predicate, B, is the information given for something.

⁹ "Conversion means turning the subject into a predicate and the predicate into a subject, while retaining affirmation, negation, truth and falsity, as they are." For example, under certain conditions, both the following statements are true: "Every A is B" and "Some B is A." "Contradiction is the opposition between two propositions, such that if one is true, the other is necessarily false. For example, under certain conditions, if "Every A is B" is true, then "Some A is not B" is false." See Avicenna, *Deliverance*, 19, 35.

¹⁰ Maḥmūd b. Abī Bakr b. Aḥmad Sirāj al-Dīn al-Urmawī was a Shāfi'ī and a scholar of jurisprudence, philosophy, and logic. He studied in Mosul and lived in Damascus, and his *Maṭālī' al-anwār* is a widely-studied and much-commented-upon work. According to Rescher, he was either a pupil or associate of Khūnajī. He died in 682/1283 or 692/1293. See Ziriklī, *al-A'lām*, 7: 166; Rescher, *Development*,

such as the two mentioned here, were not themselves commentaries on any specific Avicennan work in any routine sense; they were in fact independent curricular texts that simply tried to resolve an Avicennan issue and took up a specific interpretation that was allegedly faithful to the author's intent. This interpretation was passed on to scholars of the next generation, who explained the base text in a commentary. In the following generation, the commentary, which presumably regurgitated the interpretation of the base text, was itself commented upon in a similar fashion in various glosses. And so the scholastic method and its texts perpetuated themselves in endless cycles of the supposed repetitions of commentaries, glosses, superglosses, and so on. Finally, each new text in the chain was removed from the first by a number of commentatorial rings—its myopic focus was fixed on the text it was explaining and was limited by the parameters of the current curriculum.

Now what would happen to a logical system if a key element, such as the subject term, were misrepresented either inadvertently, due to the interpretive genealogy of the text, or deliberately, due to some other concern? Furthermore, what would happen if the source that was originally interpreted were not itself directly consulted because the curriculum made it accessible only via the lens of the later interpretations of commentaries and glosses? In the case of this particular study, the consequences of such a situation were tremendous—some combination of limiting curricular parameters and the distorting lens of the interpretive history of Avicenna, on the one hand, and the hagiographical weight of Avicenna, on the other, led to the promotion of an entirely new, internally coherent, and innovative logical system in the name of the originally (mis)interpreted author. In other words, there were seismic shifts in the formal logical systems of the post-

195. Quṭb al-Dīn Muḥammad b. Muḥammad al-Rāzī al-Taḥṭānī settled in Damascus from his Persian homeland in 763/1362 and died there three years later. He is the author of numerous commentaries on logic, including one of the famous works entitled *al-Risāla al-shamsiyya* by al-Kātibī. These commentaries are studied to this day in Islamic scholarly institutions. See Rescher, *Development*, 215; Brockelmann, *Geschichte*, Suppl. 2:293. Najm al-Dīn al-Kātibī al-Shāfi'ī (d. 674/1276), was a philosopher and logician. A student of Athīr al-Dīn al-Abharī (identified below), he was the author of the widely-studied logic work *al-Risāla al-shamsiyya* which, since being penned, has generated numerous commentaries, glosses, superglosses, etc. Kātibī was influenced by the thought of Fakhr al-Dīn al-Rāzī and wrote commentaries on his works. He also corresponded with Naṣīr al-Dīn al-Ṭūsī, whose student al-Ḥillī (see below), a much younger contemporary of Kātibī, wrote a commentary on the latter's *Ḥikmat al-'ayn*. See *EP* art. "Kātibī."

classical period and these were ultimately grounded in an interpretive error generated by the internal dialectics of scholastic texts. This error was perpetuated because the original texts were not being read and, when its consequences were derived systematically, they constituted new logical traditions. Thus, contrary to expectations, it was in fact the scholastic method—represented by the commentaries/glosses genre—that led to exceptional dynamism within logical studies.¹¹

III. *Specifics: Muḥammad al-Āmidī and His Text*

My interest in post-classical interpretations of the subject terms of propositions goes beyond this study. In an article initiated concurrently with this one, I had set out to examine how the post-classical logician Urmawī and his commentator Taḥṭānī¹² interpreted propositions. It became clear to me rather quickly that not only these two scholars, but also a large number of their contemporaries take up the task of explaining the difference between *ḥaqīqī* and *khārijī* propositions as a preliminary to the section on the syllogistic.¹³ And in explaining this distinction, their discussions tend to focus rather heavily on one standard question: what is the nature of the universal subject term.

Their response is articulated in a framework that integrates the conceptual and historical elements underlying the issue. It is argued in many of these texts that Fārābī (d. 950) had excised those aspects of the propositional semantics that led to absurdities and that Avicenna, in turn, had honed the system further to exclude what was not useful in scientific discourse and did not correspond to linguistic conventions. Thus much of the dialectical tradition of post-classical commentaries and glosses centering on the nature of the subject term supplies interpretations of Avicenna and Fārābī, and the syllogistic that follows in these texts appears to be the natural outcome of the adopted interpretation.¹⁴

It was in tracing the development of this sustained commentaries/glosses discourse on the nature of the subject term that I chanced upon

¹¹ On the scholastic method in Islam, see Messick, *Calligraphic*, and Zaman, *Ulamāʾ*, Introduction.

¹² On these authors, see footnote 6 above.

¹³ *Ḥaqīqī* and *khārijī* propositions are fully discussed below in section IV and in the annotated translation in section V.

¹⁴ For details, see below and Ahmed, "Interpreting Avicenna."

a manuscript listed in the *Catalogue of Arabic Manuscripts (Yehuda Section) in the Garrett Collection in the Princeton University Library*.¹⁵ This exemplar, numbered 3292 in the catalog and entitled *Risāla fī bayān al-nizāʾ bayna Ibn Sīnā wa-l-Fārābī fī ittiṣāf al-mawḍūʿ*, is by a certain Muḥammad al-Āmidī. The cataloger has identified him as Muḥammad b. ʿAbdallāh al-Āmidī, with a *floruit* of 1175/1761, and has listed four other works under his name: *Ḥāshīya ʿalā sharḥ al-dawānī*, *Risāla fī taḥqīq al-ʿilm*, *Risāla fī ajzāʾ al-qaḍīyya*, and *Risāla fī taḥqīq al-ḥadd al-tāmm*. If the attribution is correct, the titles of the other works place the author squarely in that path of the logical tradition of Najm al-Dīn al-Kātibī that was eventually to pass through the Farangī Maḥallīs and then the Khayrābādīs of South Asia.¹⁶ This Āmidī was an Ottoman logician who was celebrated with the sobriquet Qiyās and was reported to have finished a commentary on the *Īsāghūjī* entitled *Sayf al-nuṭq fī ʿilm al-mantiq* in 1175/1761. He also completed a short work on syllogisms in 1163/1750, lithographed in Istanbul in 1279/1862 and falsely attributed to the famous Ismāʿīl Gelenbevī (d. 1206/1791). This

¹⁵ See bibliography for complete reference.

¹⁶ I know of several popular glosses of Jalāl al-Dīn Muḥammad b. Asʿad al-Dawānī (d. 906/1501) studied in some *madrasa* curricula of South Asia. The first of these is the supergloss on Jurjānī's gloss on Taḥṭānī's commentary on the *Shamsīyya* of Kātibī; the second is a supergloss on Jurjānī's gloss on Taḥṭānī's commentary on Urmawī's *Maṭālīf*. Dawānī also wrote a commentary on Saʿd al-Dīn Taftāzānī's *Tahdhīb al-mantiq* and a gloss on Taḥṭānī's commentary on Avicenna's *Ishārāt* that focuses on Fakhr al-Dīn al-Rāzī's and Naṣīr al-Dīn al-Ṭūsī's commentatorial disputes over the text. The former text is still quite important in South Asian Islamic scholarly curricula. Dawānī is the author and commentator of several other works on theology. See Wisnovsky, "Nature and Scope," 154, 158, 164, and *passim*. A number of South Asian scholars of the *maʿqūlī* inclination also produced commentaries and glosses on Dawānī's logical commentaries. Some of these, such as the supergloss by Qāḍī Mubārak Gūpāmawī on Mīr Zāhid Harawī's gloss on Dawānī's commentary on Taftāzānī's *Tahdhīb al-mantiq wa-l-kalām* and Faḍl-i Ḥaqq Khayrābādī's *Sharḥ tahdhīb al-kalām li-l-ʿAllāma al-Taftāzānī*, which seems to have borrowed from Dawānī, occupied an important position in the curriculum of the Farangī Maḥallīs. For a listing, see Wisnovsky, 166; Barakātī, *Mawlānā*, 204n. Finally, though the claim needs further investigation, it appears from a preliminary study that by the nineteenth century, Arabo-Islamic logic in South Asia had come to focus rather heavily on epistemology and the nature of propositions. Thus the titles of the works presumably produced by al-Āmidī reflect that interest. The following works are but a few from a rather large repertoire: Faḍl-i Ḥaqq Khayrābādī, *Risāla fī taḥqīq al-ʿilm wa-l-maʿlūm*; idem, *Risāla fī taḥqīq al-kullī al-ṭabīʿī*; Muʾīn al-Dīn Ajmīrī, *ʿIlm-o maʿlūm*; idem, *Kullī ṭabīʿī*; idem, *Wujūd-i rābiʿī*; Muḥammad Aḥsan Wāsiṭī Zaydī, *Risāla-yi wujūd-i rābiʿī*, etc.

information corresponds to the cataloger's assessment of his *floruit*.¹⁷ As far as I know, no other information about him survives.

The *Nizā*, for which an *editio princeps*, a translation, and annotation are provided below, is of interest for two reasons. First, Āmidī's treatise communicates in a more systematic manner a crucial aspect of propositional semantics that Urmawī, Taḥṭānī, and others had laid out.¹⁸ Secondly, and perhaps more interestingly, although Āmidī elaborates on the expected post-Avicennan outlines of the Avicennan-Fārābīan distinction regarding the nature of subject-terms, in determining the consequences of these readings, he completely botches the readily recognizable and standard Avicennan position on various central matters. It is unclear whether the representation is deliberately erroneous or the product of some genuine oversight. Either way, the important things to note are that (1) Āmidī's assessment of the consequences of these different readings puts major elements of al-Kātibī's logic in Avicenna's mouth; and (2) Āmidī's reading of the subject term (via the lens of the curricular texts) led him to posit an altogether different logical system. I carry out a technical analysis of Āmidī's claims in section V. Here I briefly speculate about the following intriguing question: What is the source of his glaring misinformation?¹⁹

I present my weaker explanation first.²⁰ If this is a case of deliberate falsification, then it tells us much about the extent to which Kātibī's logic had come to dominate the curriculum and also about how it was perceived. Obviously, though it was the prevailing logical system, it needed to pass itself under the celebrated name of Avicenna. As the reader will note in the table below (section V), in *all* cases, Āmidī's Avicenna corresponds to Kātibī. Again, this tells us something about

¹⁷ al-Baghdādī, *Hadiyyat al-ʿārifin*, 2:333; see also Kaḥḥāla, *Muʿjam*, 10:201. I would like to thank Professor Khaled El-Rouayheb for a more precise identification of Āmidī than I was able to find in my sources (email correspondence, January 5, 2009).

¹⁸ For details, see Ahmed, "Interpreting Avicenna."

¹⁹ Another consequence of the misinterpretation of the subject term was that Āmidī attributed salient features of Avicenna's logic to Fārābī. The latter, however, had lost significance in the logical traditions of much of the Muslim world—especially the Islamic east—several centuries ago, so that I am not as intrigued about the source of this second error. For example, it could be explained by the loss of relevant Fārābīan texts. Moreover, since the misrepresentation is systematic, i.e. it is the result of the unfolding of an initial misreading, whatever deductive model we may adopt for the source of the misrepresentation of Avicenna may just as well be adopted for Fārābī.

²⁰ Fuller explanations of the details noted here are found in the next section.

the prestige of the Avicennan name in the post-classical tradition, but it inspires little confidence in the way that he was being presented.²¹

Now for the more likely explanation. If the glaring and consistent discrepancies are not due to the deliberate sanctification of a logical system by attaching Avicenna's name to it, then it is likely that one of the following scenarios holds: (1) Āmidī memorized charts with logical rules and confused the attribution; or (2) he read only reconstructive and internally discursive commentaries/glosses and other logic textbooks in the Ottoman curriculum that touched on Avicenna, but he did not read Avicenna's own texts. The former scenario is unlikely because Āmidī is aware that it is the particular reading of the subject term that produces the various results he is recording. Indeed he sometimes hints at the proofs for the extrapolated consequences. Obviously, this is not indicative of rote memorization. As argued in the notes throughout section V, it is the latter option that offers the most likely explanation. We know that, in the vast majority of cases, the Ottoman curricula did not include any logical works by Avicenna. However, various curricular texts and their commentaries/glosses did devote considerable space to disquisitions on Avicenna's understanding of subject terms. In the end, their readings of Avicenna on this topic corresponded in their general features and outlines with Kātibī's position.

This was likely the starting point of the innovations found in Āmidī. An error was introduced, the interpreted author was not read, but

²¹ Deliberate falsification is unlikely because the misrepresentation of the Avicennan positions hinges directly upon the later logicians' interpretation of his subject terms; and there are indeed plenty of statements in Avicenna's works to allow for their views (see, e.g., *al-Shifā'*, 4: 21). Thus, once their interpretation was bolstered as the true Avicennan one, for a number of derived conclusions, Avicenna and Kātibī started looking very similar. And since the Avicennan logical corpus was itself not being read in the Ottoman curriculum, no corrective to this error was forthcoming. It remains to be determined how and in what form this confusion originated for earlier logicians and how it came to maturity. For it is worth noting that a logician like Taḥṭānī is aware of the real Avicennan position on a number of these points: self-conversion of universal necessity negative propositions (Kātibī, *Risāla*, 348 f.), conversion of general conditionals (*ibid.*, 350f.), conversion of possibility premises (*ibid.*, 359f.), etc. Likewise, as noted in the next section, Kātibī himself adopts a different position on some of these matters in the *Hikmat al-'ayn*, which was generally part of the Ottoman curriculum. It appears then that the extended errors were not generated by a conscious effort to make Avicenna look like Kātibī. For an excursion into post-Avicennan views on this subject, see Ahmed, "Interpreting Avicenna." For the Ottoman curriculum, see Robinson, "Ottomans."

rather floated in the commentaries/glosses of the *madāris*, and our later logician systematically derived consequences of the purportedly correct view of Avicenna's subject terms that he had studied in the curricular texts. But the system he unfolded was not Avicenna's; in its main features, it was Kātibī's and—what is most exciting to note—it was internally coherent. Āmidī had extrapolated an entire logical system as a natural derivation of the allegedly faithful Avicennan readings of subject terms. He did not know that he was utterly original. Put another way, the interpretive error refashioned logic and Avicenna himself. And ironically, all this was due to the “restrictive” scholasticism of the post-classical age.

IV. A Sample Analysis of the Evidence

As I have noted above, the interpretation of the subject terms of propositions had a transformative effect on entire logical systems. In this section, I aim to offer a non-technical explanation of the two competing interpretations of the subject term and some examples of their logical consequences in Āmidī. This exercise should serve as an intermediate stage for the scholar not focusing on Arabo-Islamic theology, philosophy, and logic, before I offer the complete tabulation of consequences and the more technical annotations for those interested in venturing further.

Echoing Kātibī and logicians of the *madrassa* curriculum, Āmidī explains that both Avicenna and Fārābī recognized two types of propositions: *khārijī* and *ḥaqīqī*.²² According to him, for Avicenna, a proposition like, “Every A is B” in the *khārijī* reading means that B *actually* applies to every instance of that which is *in fact* A and exists as A in extra-mental reality in the past, present, or future. Thus, to say, “All humans are sleeping” means, in this reading, that there are, in the external world and at some time, instances of entities that exist as humans and that all of them are sleeping at some time. For Avicenna, a proposition like, “Every A is B” in the *ḥaqīqī* reading means that B *actually* applies to every entity that the intellect *simply* determines to be A in extra-mental reality. Such instances of A are only possible—i.e.

²² For an analysis of this distinction in earlier logicians, see Ahmed, “Interpreting Avicenna.” Āmidī's explanation occurs in paragraphs B and C of the English translation below.

they need not exist externally—in extra-mental reality, but whenever they are posited to exist in extra-mental reality by the intellect, they are B in actuality. Thus, to say, “All humans are animals” means, in this reading, that when the intellect posits humans in extra-mental reality—though humans may or may not exist outside the mind—were they to exist, they would *in fact* be animals.

By contrast, according to Āmidī, for Fārābī, a proposition like, “Every A is B” in the *khārijī* reading means that B *actually* applies to every instance of that which is *in fact* A and exists as A in extra-mental reality. However, this predication applies not with reference to the past, present, or future, but with reference to how things are in their essential natures. Thus, to say, “All humans are sleeping” means, in this reading, that there are, in the external world and at some time, instances of entities that exist as humans and that all of them *may* in fact be sleeping, because this possibility is not precluded by their essential natures. By contrast, humans may not be shoes. For Fārābī, a proposition like, “Every A is B” in the *ḥaqīqī* reading means B *may* apply—not with respect to an ontology of the actual world, but with respect to their essential natures—to every entity that the intellect posits *mentally*. Thus, to say, “All Ethiopians are white” is allowed in this reading, because there is nothing in the essential nature of (mentally posited) Ethiopians that precludes their being white, though no such Ethiopians can presumably exist in the actual world (just as, presumably, crows cannot be white in the actual world, whereas, by contrast, firetrucks need not be red).²³

Now following the curricular texts, Āmidī took Avicenna and Fārābī to have constructed their logical systems on the basis of the aforementioned *ḥaqīqī* interpretations of subject terms.²⁴ This initial interpretive commitment and the selective secondhand vista into Avicenna’s works completely overturned the system: it is *not* Avicenna’s.²⁵ For example, Avicenna allows the proposition, “It is necessary that no B

²³ See note 55 below for a discussion of Ethiopians and color.

²⁴ On the commentatorial dialectical tradition regarding the subject terms, see Ahmed, “Interpreting Avicenna” and on Āmidī’s claims see the translation below, paragraph F (and note).

²⁵ Similarly, the system Āmidī presents as Fārābī’s is actually Avicenna’s. In section V below, I present a tabulation of the positions held by Āmidī’s Fārābī and occasionally offer explanations for the Avicenna-Fārābī transformation in the annotations. However, my main interest in this article is the misrepresentation of Avicenna’s system, since it stands as the foundation of Āmidī’s own logical innovations.

is A" to convert to "It is necessary that no A is B." He proves this in the following manner: let us take "It is necessary that no A is B," the desired converse, to be false. Thus, its contradictory, "It is possible that some A is B," is true. Now let us take this *some* A and let us call it J,²⁶ so that "Every J is A" and "It is possible that every J is B." The latter converts to "It is possible that some B is J," which, when combined with "Every J is A" yields "It is possible that some B is A." This contradicts the originally posited "It is necessary that no B is A," so that the contradiction of the assumed conversion, "It is possible that some A is B," is false. Thus, its contradictory, "It is necessary that no A is B" is true.²⁷

Now this is a perfectly fine proof in the Avicennan system, as it is known to us. However, for logicians working with only little more than interpretations of Avicenna on the subject term, this is not a valid proof. The reason is that the intermediate move of the conversion of "It is possible that every J is B" to "It is possible that some B is J" depends on yet another proof requiring a syllogism with minor possibility premises to yield a possibility conclusion. And this is not allowed, given the allegedly Avicennan semantics of subject terms. The partial proof for the intermediary move runs as follows. If the proposition, "It is possible that every J is B" does not convert to "It is possible that some B is J," then it converts to the contradictory of the latter, i.e. "It is necessary that no B is J." This latter proposition, along with the originally posited, "It is possible that every J is B," is a first figure perfect syllogism and should yield the absurdity, "It is possible that no J is J," so that the contradictory of the assumed converse, "It is necessary that no B is J," must be true, i.e., "It is possible that some B is J."²⁸

Yet here is the problem: under the interpretation of the *ḥaqīqī* readings offered by Āmidī, the two propositions, "It is possible that every J is B" and "It is necessary that no B is J" would be interpreted to mean, "J necessarily fails to apply to that to which B *in fact* applies" and "B *possibly* applies to that to which J in fact applies." Thus, J would carry over or fail to carry over as a predicate only to those entities that are *in fact* B and not just *possibly* B. Since the proposition offers no such entities, under the purported Avicennan *ḥaqīqī* reading, this

²⁶ This logical move is called *ekthēsis* and appears a number of times in proofs in section V below.

²⁷ Avicenna, *Deliverance*, 46, 58.

²⁸ For further comments on this proof, see note 39 below.

sylogism does not yield a conclusion.²⁹ The upshot of this is that the entire edifice of the Avicennan logical system comes crumbling down: as noted just now, syllogisms with possibility minor premises do not yield conclusions, which, in turn, means that universal negative necessity propositions do not convert, and so on.³⁰ All these consequences, and others noted in the table below, are different from what we find in Avicenna's own works.

Again, the innovations were due to the sustained interpretive error in a context in which the original text was not being consulted and the parameters of interpretation were being defined by the curriculum. As I have noted above, for Āmidī's treatise, though he obviously did not know, this error resulted in the transformation of Avicenna. And given that Kātibī had also read the subject terms in the same manner, Avicenna appears identical to him. Āmidī had thus successfully rewritten Avicenna and articulated a different logical system in the process.

V. Further Analysis and Translation

I think that the above should suffice as a glimpse into how the reinterpretation of the subject term affected the system as a whole. In what remains of this article, I present a tabulation of all the consequences of this distinction as adopted by Avicenna and Fārābī in Āmidī's assessment, along with a comparison with the positions of Avicenna and Kātibī known to us from their own works.³¹ My technical analysis—intended for scholars specializing in Arabo-Islamic and medieval theological, philosophical, and logical traditions—is presented in the notes to the table. I close the article with an annotated translation and an *editio princeps* of Āmidī's text.

²⁹ It would, however, yield a conclusion under the alleged Fārābīan *ḥaqīqī* reading, which could be parsed as "J necessary fails to apply to that to which B *possibly* applies" and "B applies *possibly* to that which J *possibly* applies." This would yield, "J necessarily fails to apply to J," the contradiction Avicenna needs for his proof.

³⁰ For a detailed analysis of these proofs, see the annotation to the table below, notes 42 and 91.

³¹ For Avicenna and Kātibī, I have often relied on my notes from Thom, *Medieval Modal Systems*; Street, "Fakhraddīn ar-Rāzī's Critique"; idem, "An Outline"; and Rescher, *Temporal Modalities*.

Notation and Technical Terms

Conversion/converts: "Conversion means turning the subject into a predicate and the predicate into a subject, while retaining affirmation, negation, truth and falsity, as they are."³² For example, under certain conditions, both the following statements are true: "Every A is B" and "Some B is A."

- L = Necessity (e.g., L-BA, "It is necessary that A is B")
- M = One-sided Possibility (e.g., M-BA, "It is possible that A is B")
- Q = Contingency (e.g., Q-BA, "It is contingent that A is B")
- a = universal affirmative (e.g., BAa, "Every A is B")
- e = universal negative (e.g., BAe, "No A is B")
- i = particular affirmative (e.g., BAi, "Some A is B")
- o = particular negative (e.g., BAo, "Some A is not B")

dhātī reading: "Man is an animal, as long as his substance exists"

waṣfī reading: "All moving things are changing, as long as they are moving"³³

Perpetual: Perpetually: Every man is an animal

General Conditional: Necessarily: Every writer moves his fingers, as long as he writes

General Conventional: Perpetually: Every writer moves his fingers, as long as he writes

Special Conditional: Necessarily: Every writer moves his fingers as long as he writes, but not perpetually (i.e. he is not perpetually writing)

Special Conventional: Perpetually: Every writer moves his fingers, as long as he writes, but not perpetually (i.e. he is not perpetually writing)

Absolute General: With general absoluteness: Every man is breathing (i.e. *at some time* every man is breathing)³⁴

³² Avicenna, *Deliverance*, 35.

³³ For a fuller discussion, see Street, "Outline," 133.

³⁴ The examples of the technical terms are taken from Rescher, *Temporal Modalities*, 6ff, where a technical apparatus is also supplied.

Table: Consequences of the Distinction³⁵

	<i>Avicenna</i>	<i>Fārābī via Āmidī</i>	<i>Avicenna via Āmidī</i>	<i>Kātibī</i>
Le conversion to Le	Yes ³⁶	Yes	No	No ³⁷
Le conversion to perpetual-e	Yes ³⁸	No	Yes	Yes ³⁹

³⁵ The columns “Fārābī via Āmidī” and “Avicenna via Āmidī” are extracted from the text presented below.

³⁶ Avicenna, *al-Ishārāt*, 334.

³⁷ Rescher, *Temporal Modalities*, 17; al-Kātibī, *al-Risāla*, 347.

³⁸ An Avicennan conversion tabulation would give the conversion of Le as Le, but since necessity implies perpetuity, a perpetual-e conversion would be allowed as a weaker proposition.

³⁹ Nicholas Rescher, *Temporal Modalities*, 17; Street, “Fakhraddīn ar-Rāzī’s Critique,” 8. But see Kātibī’s acceptance of Le to Le conversion in *Mantiq al-‘ayn*, as reported by the editor of Kātibī, *Risāla*, 348, n. 1. Kātibī, 348, gives the proof for Le to perpetual-e conversion by a *reductio*, involving a minor absolute. To derive an Le converse, the method will require a minor possibility premise, which does not conclude for Kātibī. As far as I know, Kātibī himself does not explain that this is why he must produce a weaker converse, but it appears that the reasoning is plausible. In his commentary, Taḥṭānī (in Kātibī, *Risāla*, 348) explains that an Le converse is false because, of two mutually exclusive substances, one may be described by a description in actuality while the other may not. In such a case, it is necessary to negate that which is so described of the other substance, but the description is not necessarily negated of the other substance. For example, being ridden by Zayd is true of a horse in actuality, but not of a donkey. Thus, it is necessary that that which is ridden by Zayd is not a donkey, but not necessary that a donkey is not ridden by Zayd. The argument presented here seems to be conversely related to the one found for the conversion of *waṣfī*-o propositions, but this is not a *waṣfī* reading, because the description does not condition the predication. The case is the other way round, such that the description picks out a certain subset and, in virtue of this subset, a certain predicate fails to apply to it. But this is not necessarily the case, as admitted by Taḥṭānī. Given this, the converse should really have the exclusive subset of the description as the subject, i.e. that which is possibly ridden by Zayd must at some time be a donkey for an Le conversion to go through. A version of this move is deployed in the explanation of a successful o-conversion, on which see note 50. The validity of an Le-Le conversion is proved in Avicenna’s *Najāt* via an *ekthēsis* move that requires the conversion of a possibility proposition. The conversion of this proposition, in turn, requires a syllogism with a minor possibility premise. And this last must be rejected by the Kātibīan tradition because the perpetually unrealized possibility of the minor premise does not allow the major term to be carried over to the minor term. Such predication can only be allowed under the Fārābīan reading of subject terms in *ḥaqīqī* propositions, as noted by Jurjānī at Kātibī, 360 n.2. For Kātibī and the explanations of Taḥṭānī and Jurjānī see Kātibī, 351f., 359f., 414f. Here Jurjānī is addressing the issue of the non-convertibility of possibility premises that, according to Taḥṭānī, was proved by the ancient logicians by *reductio* or *ekthēsis* or the conversion of the universal negative necessity proposition that is the contradictory of the original possibility proposition. The first two methods require a syllogism with a possibility minor premise (rejected) and the last depends on an Le-Le conversion (also rejected). The rejection of all these possible proofs, Taḥṭānī and Jurjānī explain, occurs because a *bi-l-fi’l* reading of the subject term—as in the alleged case of Avicenna—does not guarantee the carrying over of the

(Table: Consequences of the Distinction *cont.*)

	Avicenna	Fārābī via Āmidī	Avicenna via Āmidī	Kātibī
General conditional-e converts to general [conventional]-e	Yes ⁴⁰	No	Yes	Yes ⁴¹

major term to the minor if the minor premise is a perpetually unrealized possibility. Unlike Taḥṭānī, Jurjānī expresses some doubt that Avicenna would require a *bi-l-fi'l* interpretation of subject terms (now read as a *bi-l-fi'l khārījī*, on which see Ahmed, "Interpreting"). But once this reading stuck—*bi-za'm al-muta'akhhirīn* (Jurjānī's expression)—the rest of Kātibī's claims that hinged upon the nature of the subject term also became Avicenna's. This is especially true in view of the fact that the Ottoman curriculum generally did not include logical works by Avicenna and Fārābī. The situation is somewhat different with the Safawids and Farangī Maḥallīs. The former included Avicenna and Taftāzānī and the latter only Taftāzānī (i.e. not also Avicenna), who offered some corrective hints in his *Tahdhib*. The Khayrābādīs of nineteenth century India included an even wider logic curriculum and were able to offer penetrating criticisms of the Kātibīan semantics (though, to the best of my knowledge, they do not name him). Here the discussion of subject terms and the related dichotomy between the *khārījī* and *ḥaqīqī* propositions is found within protracted discussion of secondary intelligibles. On this latter school and this discussion, see my forthcoming, "Logic in the Khayrābādī Curriculum." For the comments in this footnote, see Kātibī, *Risāla*, 359f.; Faḍl-i Ḥaqq Khayrābādī, *Hāshiyā*, 314f. esp. 334. For the comments on Avicenna above, see Avicenna, *Kitāb al-najāt*, 48-49. And for the identity of the ampliation of the subject terms in Avicenna and Fārābī see Street, "Arabic Logic." It seems that the later logical tradition took this ampliation to range in different ways for Avicenna and Fārābī (see Ahmed, "Interpreting").

⁴⁰ Again, an Avicennan conversion tabulation will likely state that a general conditional-e converts to a general conditional-e, but since the conventional offers a statistical reading, it will also have to be admitted as a consequence. Thom, *Medieval Modal Systems*, 75, offers this as a valid conversion, though Avicenna only explicitly speaks about the general conventional in the *Ishārāt*. The *Ishārāt* proof goes as follows (A-BJ'e is to be read as "All of that which is J always fails to be B for as long as it is J"): 1. A-BJ'e 2. A-JB^{Bi}e; Proof for 2 (*reductio*): 3. not-2 4. JB^{Bi} 5. BJⁱ (by *ekthēsis*) but 6. 1 So 7. 2. Tūṣī, in commenting on this proof, states that 5 contradicts 1 only if 5 is BJⁱ, i.e. a *muṭlaqa 'amma waṣfiyya* (see Street, "Outline," 156, who seems to suggest that the inspiration for the adoption of this contradictory is likely Fakhr al-Dīn al-Rāzī). Otherwise, this 5 is compatible with 1. Picking up at 4. BJⁱ, he states that 4 means that something that is described as J, at some time, being so described, is also described as B. From this it follows that some of that which is described as B, is described as J at some time it is described as B. So 5. JB^{Bi}i. Tūṣī has flipped the terms, but the argument, which is straightforward, allows for the contradiction with 1 that Avicenna wants for his proof: see *Ishārāt*, 326. Earlier, in this same section (325), Tūṣī states that Fārābī had constructed a syllogism from "Some B is J" (the contradictory of the desired converse) and "No J is B" (the original proposition), concluding the absurdity that "Some B is not B." Apparently, Avicenna considered this to be a good proof (*wa-istahsanahu al-shaykh*), though Tūṣī adds that it works only if we read the conclusion as a *waṣfī*, i.e. "Some B, for as long as it is B, is not B." And this suggests that it was Fārābī who ultimately inspired the following proof in Kātibī, who, in turn, deploys here and in his o-conversion (see note 39) a more nuanced version of the Avicennan e-proof presented in this note: 1. BJ'e 2. JB^{Bi}e Proof for 2 (*reductio*): 3. not-2 4. JB^{Bi} 5. 1 6. BB^{Bi}o.

(Table: Consequences of the Distinction *cont.*)

	<i>Avicenna</i>	<i>Fārābī via Āmidī</i>	<i>Avicenna via Āmidī</i>	<i>Kātibī</i>
General conditional-e converts to general conditional-e	Yes ⁴²	Yes	No	No ⁴³
Special conditional-e converts to general conventional-e, restricted by non-perpetuity in some cases ⁴⁴	Yes ⁴⁵	No	Yes	Yes ⁴⁶
Special conditional-e converts to general conditional-e, restricted by non-perpetuity in some cases ⁴⁷	Yes ⁴⁸	Yes	No	No
Special condition.-o converts to special conventional-o	No? ⁴⁹ Yes?	No	Yes	Yes ⁵⁰

So 7. 2. See *Ishārāt*, 302. As is apparent throughout the table, it appears that al-Āmidī is putting the positions that Kātibī adopts explicitly into Avicenna's mouth. Likewise, the Avicenna known to us from his works is very much made into the Fārābī reported here. Most cases where Fārābī and the standard Avicenna differ and where Kātibī and Avicenna agree occur due to the extension of the latter's thought, either via the utilization of his method (as Kātibī here) or of some known principle (as in the Le to perpetual-e conversions for Avicenna).

⁴¹ Rescher, *Temporal Modalities*, 17; Kātibī, *Risāla*, 349.

⁴² Thom, *Medieval Modal Systems*, 75.

⁴³ Rescher, *Temporal Modalities*, 17. Kātibī cannot grant this because the proof requires a syllogism with a possibility minor. See notes 39 and 88.

⁴⁴ i.e. to a special conventional-e.

⁴⁵ I base this on the example of what is allowed of the conversion of the general conditional-e to a general conventional-e. The restriction of non-perpetuity would be retained by a *reductio ad absurdum* proof.

⁴⁶ Rescher, *Temporal Modalities*, 17; Kātibī, *Risāla*, 349.

⁴⁷ i.e. to a special conventional-e.

⁴⁸ I base this on the example of the conversion of the general conditional-e to a general conditional-e.

⁴⁹ For this and the next rejection, see *Ishārāt*, 321; Kātibī, *Risāla*, 352; and al-Ḥillī, *al-Qawā'id*, 305. al-Ḥillī (d. 725/1325), known as 'Allāma-i Ḥillī, was a student of Naṣīr al-Dīn al-Ṭūsī. A renowned scholar of Iraq, his *al-Bāb al-hadī 'ashar* has long prevailed as the standard Twelver Shī'ī creed. See *EP* art. "al-Ḥillī"; Rescher, *Development*, 211.

⁵⁰ Avicenna explicitly rejects o-conversion, though it is not clear that he would also reject a *wasfī*-o. His elliptical statement at *Ishārāt*, 333 is explained in Goichon's translation of Avicenna, *Livre des directives*, 167, n. 5, as follows: if "Some men are not writers" (the desired conversion) is false then "All men are writers" is true. The latter converts to "Some writers are men," which is not what we wanted, i.e. "Some writers are not men." Perhaps more aptly, the *reductio* leads us to a proposition that is not a contradictory of the posited premise. So we have not proved the conversion. In his commentary on the *Ishārāt*, Ṭūsī points out that Abharī and others allowed

(Table: Consequences of the Distinction *cont.*)

	Avicenna	Fārābī via Āmidī	Avicenna via Āmidī	Kātibī
Special conditional-o converts to special conditional-o	No? Yes?	Yes	No	No
M and Q conversions	Yes ⁵¹	Yes	No	No
M and Q as minor premises	Yes ⁵²	Yes	No	No ⁵³
Modal mixes in first figure equal 169	No? ⁵⁴	Yes	No	No
Modal mixes in first figure equal 143	No	No	Yes	Yes
“Every Ethiopian is black” is a general conditional or an absolute general ⁵⁵	Yes?	No	Yes	Yes? ⁵⁶

this conversion by arguing that if the proposition is understood as an existential conventional (i.e. some existent J, as long as J, is never B, but not always), then at two different times, the substance takes the opposing J and B as predicates. In other words, the proposition converts to an existential conventional-o. The proof involves *ekthēsis* and *reductio*. See Avicenna, *Ishārāt*, 333. In this regard, Ḥilli’s exposition of Kātibī is instructive, as it seems to depend on Avicenna’s method for proving *e-waṣfī* conversion, as outlined above. 1A. BJ’o & 1B. BJ 2. JB^{Bo} Proof for 2 (*ekthēsis*): 3. JD^{Da} 4. BD^{De} 5. JBe (i.e. as long as D’) 6. If BD^{Di} then 7. JD^{Do} Proof for 7 (*reductio*): 8. JD^{Da} 9. BD^{Di} 10. JBi But 11. 5 So 12. JD^{Do} But 13. 1B So 14. 6 So 15. JD^{Do} if BD^{Di}, i.e. some J, i.e. that which is B, is not J. If this same method concludes *e-waṣfī* conversions for Avicenna, it should do so for *o-waṣfī* as well. al-Mufaḍḍal b. ‘Umar b. al-Mufaḍḍal al-Abharī al-Samarqandī (d. 662/1264) was a philosopher, theologian, astronomer, and logician, whose *Isāghūjī* has been much studied and commented upon. He was born and educated in Mosul and, once in Iraq, he became a student of the logician Kamāl al-Dīn b. Yūnus. The latter has been identified by Rescher as an early proponent of the post-Avicennan “Eastern” school of logic. See Rescher, *Development*, 76, 186, 196; Ziriklī, *A’lām*, 7:279.

⁵¹ Street, “Outline,” 145. Qa converts to Mi, Qi to Mi, Ma to Mi, Mi to Mi (all *dhātī*).

⁵² Certainly M. See translation, note 88.

⁵³ See notes 39 and 88.

⁵⁴ Q minor premises seem not to be included, so the total maximum should equal 12x13, i.e. 156.

⁵⁵ Must Ethiopians have the predicate *at some time*? Can “Ethiopian” as a per se term like “man” be taken as the condition of the blackness, i.e. can this proposition be read as a *waṣfī* insofar as the predicate in a *waṣfī* applies due to the application of the subject term? Avicenna certainly does not hold the blackness of an Ethiopian to be something essential. In fact, he admits that the color, which is a concomitant accident of “Ethiopian,” may be removed from the subject in the imagination (*tawahhuman*), though not so in existence. This seems to suggest that, if Ethiopians existed or were to exist, they would be black. However, here the scope of the proposition encompasses projected extra-mental reality. In the *Mudkhal* Avicenna enumerates three types of dif-

(Table: Consequences of the Distinction *cont.*)

	<i>Avicenna</i>	<i>Fārābī via Āmidī</i>	<i>Avicenna via Āmidī</i>	<i>Kātibī</i>
“Every Ethiopian is black” is a possibility proposition	No?	Yes	No	No? ⁵⁷
A [universal] affirmative is falsified when the predicate fails to apply to individual instances in extra-mental reality ⁵⁸	No	No	Yes	Yes ⁵⁹
A [universal] negative proposition is falsified when the predicate applies to instances in extra-mental reality	No	No	Yes	Yes

ferences that distinguish a subject from another. The first of these is something common to both the subject that is distinguished and the subject from which it is being distinguished. The second is specific to one subject, though, unlike the third, it is not constitutive of the species. Of this second too there are two types: that which distinguishes two types as the property of one to the exclusion of the other and that which is not always considered a difference, but is only so when it distinguishes between two things. It is in this last category that the blackness of an Ethiopian seems to fall, i.e. it is a non-constitutive element specific to a subject serving only as a difference (*faṣl*) when deployed as a distinguishing attribute. Further, Avicenna states that there are two types of accidentals, separable and inseparable. Of the latter, there are those that follow as concomitants of the quiddity and others that follow as concomitants of other accidentals intermediate between them and the quiddity. In a certain way, the quiddity may correctly be said to be divested of these latter; and in another, it may not. The former case occurs only in the imagination and hypothetically in the mind (*ammā jihat al-ṣiḥḥa fa-min ḥaythu anna taṣawwuruha qad yaḥṣula fī-l-dhihn ma'a salb al-lāzim 'anhu bi-l-fi'l wa-i'tibār hādhihi al-ṣiḥḥa wa-l-jawāz bi-ḥasab al-dhihn al-muṭlaq*). However, when the imagination turns to divest the quiddity of this inseparable accidental insofar as this quiddity may exist externally, the latter case comes to be true. With this I think we may have come to see the partial motivation behind the Avicennan-Fārābīan distinction as perceived by the later logicians, given that for Fārābī it is the mere possibility of the mental supposition, not the projected possibility actually conceived for the actual world that presumably determines the nature of the subject term. Thus, as an interpretation of Avicenna, one may say with these later logicians that “Everything that is an Ethiopian, were it to exist, as such, is black.” See *Najāt*, 11-12; *al-Shifā'*, 1:33-37, 72-76.

⁵⁶ Being an Ethiopian guarantees being black, either due to the description by “Ethiopian” or due to an Ethiopian’s mere existence. The restriction that its being black is not necessary is not added here.

⁵⁷ This is presumably so because Kātibī requires that subjects have extra-mental existence. See Street, “Fakhraddīn ar-Rāzī’s Critique,” 7.

⁵⁸ See translation and note 92 below for further explanation of this claim.

⁵⁹ This will have to be true if the instances of the subject term are all extra-mental.

(Table: Consequences of the Distinction *cont.*)

	<i>Avicenna</i>	<i>Fārābī via Āmidī</i>	<i>Avicenna via Āmidī</i>	<i>Kātibī</i>
The possibility of the description has a part to play in the necessity of the occurrence or negation of the predicate in a general conditional	Yes ⁶⁰	Yes	No	No
Existence of description in actuality has part to play in necessity of the occurrence or negation of predicate in a general conditional	No ⁶¹	No	Yes	Yes
The general conditional is absolutely more particular than the absolute general ⁶²	No	No	Yes	Yes ⁶³
In general conditional and absolute general, sometimes one is more particular, sometimes the other	Yes	Yes	No	No ⁶⁴

⁶⁰ Yes if by possibility we mean something like "Everything which is J, were it to exist as such, is B." But the mere possibility of the description does not apply here.

⁶¹ No, unless we include the mental existence of the description.

⁶² This means that the general conditional implies the absolute general, but not the other way round.

⁶³ Kātibī, *Risāla*, 284.

⁶⁴ Ibid.

TRANSLATION OF ĀMIDĪ, "ON THE CONFLICT BETWEEN AVICENNA
AND FĀRĀBĪ ON THE DESCRIPTION OF THE SUBJECT"⁶⁵

A. The humble Muḥammad al-Āmidī said, "When we plainly set down the dispute between the Shaykh and al-Fārābī regarding the description of the substance [of the subject] by its description with respect to actuality or possibility, given that some confusion had occurred to the minds of some of our students, they requested of me that I give a beneficial explanation of that which had been thrown amidst the wind of uncertainty. So I elaborated [on the problem] as commensurate with their request.

B. And I say that the Shaykh and Fārābī are in agreement that every quantified proposition must either be *ḥaqīqī* or *khārijī* and that, in the former, the judgment is about the possible individual instances and that, in the latter, about individual instances in extra-mental reality. The Shaykh declared that the truth of the description of the individual instances must occur by intellection, since he made [something] explicit at a place in *The Cure*, the gist of which is that the judgment in the *khārijī* proposition applies to individual instances existent in extra-mental reality, along with the description of these extra-mental instances by the description of the subject-term in actuality at one of the [three] times; in the *ḥaqīqī*, [the judgment applies] to possible individual instances, which, if their existence is determined in extra-mental reality [by the intellect], will be described by the description of the subject in actuality.⁶⁶

C. Fārābī declared that the description of the substance by its subject-term must obtain with respect to possibility-as-things-are.⁶⁷ [This is gathered from] his explicit statement in the third teaching, the gist of which is that in the *khārijī* proposition one passes judgment on

⁶⁵ Here and in the Arabic text below, I use [] for additions to and < > for extractions from the text of the manuscript.

⁶⁶ The basic distinction seems rather straightforward: in a *khārijī* reading, the truth of the judgment depends on the instances of the subject term obtaining in extra-mental reality and the predicate actually applying to them in extra-mental reality. In the *ḥaqīqī*, on the other hand, the judgment is true if the intellect *simply* determines them to exist in extra-mental reality as carrying the predicate. This is the Avicennan distinction for the two types.

⁶⁷ *al-immkān al-naḥs al-amrī*.

existing individual instances, along with their being described by the description of the subject-term with respect to possibility-as-things-are. The *ḥaqīqī* is that in which one passes judgment on possible individual instances which, if their extra-mental existence is determined [by the intellect], would be described by the description of the subject-term with respect to possibility-as-things-are.⁶⁸

D. I say (may God grant help) that, in order to distinguish between these two positions, with reference to the [various] *materia*, one must lay down and introduce the premises. Know that the universal is something that does not preclude the participation of many [in its sense]. If it is something [merely] supposed [by the mind], the universal that has this semi-definition⁶⁹ is not precluded from being applied truthfully to impossible individual instances. [However,] when it was established that the subject and predicate of every quantified [proposition] must be a universal, one uttering the proposition was no longer [allowed] to consider the impossible as an [instance] of universal subjects and

⁶⁸ For Fārābī, the distinction seems to be as follows: in the *khārijī*, the individual instances exist in extra-mental reality and, having been picked out by the subject-term insofar as it possibly applies to them, a certain predicate is applied to them. Thus, though all existing men may be sitting, one may say “standing” of these existing and sitting individual instances. For the *ḥaqīqī*, the only difference seems to be that the individual instances need not exist and the intellect may project their existence, along with a description that may apply to them. It is as such that they carry a predicate in the intellect. Thus, for example, if no Ethiopian exist in extra-mental reality, one may say of intellectually-determined instances of Ethiopians that, were they, the white ones, to exist in extra-mental reality, they would be black. We may offer the following table in order to set things out clearly:

	<i>Ḥaqīqī Judgment</i>	<i>Khārijī Judgment</i>	<i>Ḥaqīqī Description by J</i>	<i>Khārijī Description by J</i>
Avicenna	About possible individual instances	About individual instances in extra-mental reality	If the existence of instances is intellected in extra-mental reality, the instances are J in actuality	Extra-mental individuals are described by J in actuality at one of three times (past, present, or future)
Fārābī	About possible individual instances	About individual instances in extra-mental reality	If the existence of instances is intellected, their description by J is with respect to possibility-the-way-things-are	Extra-mental instances are described by J with respect to possibility-as-things-are

⁶⁹ *al-taʾrīf*.

predicates. Otherwise, [one would end up with] the description of opposites⁷⁰ by the same predicate, which, in turn, would lead to the non-existence of the innate nature⁷¹ of a thing and the non-existence of the distinction among [distinct] realities.⁷² The consequent is false, as is the antecedent.⁷³

E. For this reason, logicians agreed to specify the subjects of quantified propositions by possible individual instances insofar as they are possible; in addition, their extra-mental existence was needed. And they said that the quantified proposition is sometimes considered with respect to reality, if the judgment is passed on individuals insofar as they are possible; and sometimes [the judgment is considered] with respect to extra-mental reality if the judgment applies to individual instances existing in extra-mental reality at the time of the judgment.

F. When the Shaykh saw that the judgment passed on individual instances, whose description by the subject-term is with respect to possibility-as-things-are, leads to the non-existence of the distinction among the different types that fall under the same species in some cases of predication—both in the case of universal affirmation and negation—he chose that the individuals described by the description of the subject-term must have this description in actuality.⁷⁴

⁷⁰ *al-mutabāyināt*.

⁷¹ *kunh*.

⁷² The larger point is that, since universals as mere suppositions of the mind may have impossible significations, if it is these merely supposed universals that are taken up in propositions, one may end up with a predicate applying to a thing and its contradictory. For example, “man” may be a supposed universal signifying animals and non-animals, so that whatever is said of man will be said also of two distinct things.

⁷³ I think that the conditional sentence under question is something like, “If opposites have the same predicate, then the innate nature of things is non-existent.” Both *p* and *q* are false.

⁷⁴ *bi-l-fi'l*: not actuality now and externally, which would reduce this to a *khārijī* reading, but actually verifiable. It seems that the point is that both Roman and Ethiopian fall under the species man and, with respect to possibility-as-things-are, both can have the predicate “black.” As argued below, Avicenna would not allow this. It appears, then, that the first step was to rule out impossible individual instances for universals and the second was to rule out possibilities that can never be verified. In other words, I would venture to say that the distinction is between actual world possibilities and all-world-possibilities, whatever the scope of these worlds may be. Presumably, the ontological scope of the actual world does not even allow the mental verification of black for Romans, though it does allow it of figures for triangles, even when the latter may never exist in the actual world.

G. [The absence of the distinction among types in a species may occur for two reasons.] As for [when it is due to] inseparable concomitant[s], well that is obvious.⁷⁵ As for [when it is due to] the descriptive subject-term⁷⁶, well this is because the description of each type [in a species] is a description for the other [types] with respect to possibility-as-things-are.⁷⁷ [This is] due to the participation of these types in the quiddity of a [single] species and due to the non-existence of something that precludes the description of each type from being applied to the quiddity of the species.⁷⁸ So each type that the essence [of the species] does not reject and that is not impossible due to something else is applied truly of whatever description.⁷⁹ [This is so] even though there is a wide difference among the types, as is known.⁸⁰ Thus, [given Avicenna's condition,] a distinction of [certain] types from others is achieved with respect to some predicates, both in universal affirmation and negation, just as it is in particular affirmation and negation.

H. When Fārābī saw the specification of the universal subject by what is considered to be impossible individual instances, due to the proof that we mentioned, he did not proceed to specify the description of the individual instances of the universal subjects by a description in actuality, so that for some predicates in a particular affirmation and negation there would obtain for him a distinction between each of the types included in a single species; nor did he [specify the description such that] a distinction with respect to any predicate would obtain in a universal affirmation or negation.

⁷⁵ *al-mulāzima*. There will be no distinction between a Roman and Ethiopian with respect to any inseparable accident of man.

⁷⁶ *al-wāṣifa*.

⁷⁷ In other words, with reference to an all-world-possibility of the species man, whatever describes an Ethiopian may just as well describe a Roman.

⁷⁸ This may either mean that Ethiopian, Roman, etc. all pick out man or that whatever is said of these types may also serve as a description of the species.

⁷⁹ The statement is a bit confusing because one would expect to read that the description is true of all types within the species. The point here is similar: the type, say Ethiopian, picks out various descriptions, such as black, white, etc., as a subject-term because these are descriptions of various types that fall within the species. Neither the quiddity of the species nor something external precludes this description from being applied to the species. As such, other members of the species may pick out things having this description with respect to possibility-as-things-are. For example, with this way of understanding, Ethiopian may pick out those things that are white.

⁸⁰ It appears to me that this entire paragraph is parenthetical.

I. So on the basis of what we have mentioned it appears that the relation between the Avicennan and Fārābīan *ḥaqīqī* universal is one of absolute generality and particularity. The Avicennan [*ḥaqīqī* universal] is more general and the Fārābīan one more particular. This is so because the predicate established for or negated of all the possible individual instances insofar as they are described by a possible description is established for or negated of all the possible individuals insofar as they are described in actuality. The converse is not the case. The matter with reference to which [the two types] are in agreement is as [in] our statement, “Every Ethiopian is an animal” and “No Ethiopian is a stone.” The matter with reference to which they differ is as [in] our statement, “By necessity, every writer moves his fingers, as long as he is a writer” and “By necessity, no writer has his fingers at rest, as long as he is a writer.”⁸¹

J. The relation between the Avicennan particular *ḥaqīqī* and the Fārābīan one is [also] one of absolute generality and particularity, [but] it is the converse of what preceded. The Avicennan particular *ḥaqīqī* is more particular than the Fārābīan one because wherever it exists according to the Avicennan account it exists also according to the Fārābīan. The converse is not the case. [For] it is established that those some individual instances of which the description of the subject-term is true in actuality are [also] those some of which this description is true with respect to possibility-as-things-are. [But] the converse is not the case. The matter with reference to which [the two types] are in agreement is as [in] our statement, “Some Ethiopians are black” and “Some Romans are not black.” And the matter with reference to which they differ is as [in] our statement, “Some Ethiopians are not white” and “Some Ethiopians are not black.”

K. The relation between the Avicennan universal *khārijī* and the Fārābīan one is like the relation between the Avicennan universal *ḥaqīqī* and the Fārābīan one. Likewise is the case between the Avicennan and Fārābīan particular *khārijī* [propositions].

⁸¹ These last statements would be true in the Avicennan reading, not for the Fārābīan one, because for Fārābī, the condition is really “as long as he is possibly-writer” and nothing that is “possibly-writer” is necessarily moving his fingers. Obviously, the Avicennan reading generates a *waṣfī* and the Fārābīan one fails to do so because the former limits “writer” to some realm of actualization.

L. If you understand this, know that the proposition in which [the truth values of] the Avicennan and Fārābīan *ḥaqīqī* universals and particulars overlap is considered in two ways in relation to the manner in which the individual instances of the subject-term are taken. One of these is the consideration of individual instances, which, if their existence in extra-mental reality is determined, they would be described by the description of the subject-term in actuality.⁸² The second is the consideration of individual instances, which, if their existence were determined, would be described by the description of the subject-term by possibility-as-things-are. Likewise, the proposition with respect to which the Avicennan and Fārābīan *khārijī* universal and particular [readings] overlap is considered in the two aforementioned ways with reference to [the manner in which] the individual instances of the subject-term are taken. Thus the individual instances of which the judgment is passed by way of universal and particular *ḥaqīqī* and the universal and particular *khārijī* would be fewer in the case of the Shaykh than [these same types] in the case of Fārābī.⁸³ This is the case if the description of the subject is one of the descriptions of the types included in a single species.⁸⁴ If the description of the subject is a species or genus or specific difference belonging to the individual instances that are judged, then there is no difference in the two considerations.⁸⁵ This is so because it is not possible for the Shaykh to describe [the subject] by its species, genus, or specific difference in actuality, as is clear.⁸⁶

M. It is requisite to know that this conflict leads to differences between the two of them with respect to many positions. Among them [are the following]:

⁸² This is the Avicennan reading.

⁸³ I have skipped the repetition of the preceding phrase that enumerates the types of propositions under consideration.

⁸⁴ In other words, if we have "Ethiopians" and "Romans" under "man," then the Fārābīan reading picks out a larger set of individual instances.

⁸⁵ Obviously, unless we take possibility as mere supposition, a consideration with respect to possibility-as-things-are will pick out precisely those that an "in actuality" consideration does, if the description under question has to do with species, etc.

⁸⁶ This is so because "species," like "universal," only has a meaning, but not any individual instances. Thus, "man" in "Man is a species" does not pick out any instances, as is required by syllogistic propositions. In this sense, both the Avicennan and Fārābīan readings will refer to the same thing, neither one yielding a set larger than the other.

- [1] For Avicenna, the universal negative necessity [proposition] converts to a [universal] negative perpetual, but for Fārābī, [it converts to] a [universal] negative necessity [proposition].
- [2] Then for Avicenna the universal negative general conditional converts to a universal negative [conventional]⁸⁷ general, but for Fārābī, to a universal negative conditional general.
- [3] For Avicenna, the universal negative special conditional converts to a universal negative conventional general, restricted by non-perpetuity in some instances, but for Fārābī, to a universal negative conditional general, restricted by non-perpetuity in some cases.
- [4] For Avicenna, the particular negative special conditional converts to a particular negative special conventional, but for Fārābī, to a particular negative special conditional.
- [5] For Avicenna, the two possibles do not convert, but they do so for Fārābī.
- [6] For Avicenna, neither of the two possibles may be a minor premise in the first figure, but for Fārābī, this may be the case.
- [7] For Avicenna, the [modal] mixes that conclude in the first figure are obtained by multiplying eleven to thirteen and for Fārābī, by multiplying thirteen to thirteen.⁸⁸

⁸⁷ The additional of “conventional” is on the example of the next two claims.

⁸⁸ There are a total of thirteen modalities enumerated by Kātībī and ten modalities and three assertoric modalities enumerated by Avicenna. Thus, in the first figure, the maximum total combination equals one hundred and sixty-nine, via a multiplication of thirteen with itself. For Kātībī, however, minor possibility premises do not yield any conclusions, since the minor must guarantee the actuality of the application of the subject-term to its individual instances. Thus “*c* applies to that which *b* picks out in external actuality; *b* may apply to that which *a* picks out in external actuality” will yield the conclusion that “*c* may apply to that which *a* picks out in external actuality.” However, if the minor premise is “*b* may apply to that which *a* possibly picks out,” then the individual instances of *a* may be *a* in perpetual possibility and not in actuality. In such a case, the middle term will not actually allow the major to carry over to the minor. This argument is a Kātībīan one and may be taken to be an Avicennan one if we substitute external actuality with any actuality whatever. In other words, only the pure possibility of the description by the subject-term will disqualify such syllogisms, whereas mental actualization will still guarantee it. This appears to be one interpretation of the Avicennan-Fārābīan distinction as regards the nature of subject terms that is discussed in Ahmed, “Interpreting Avicenna.” But the known Avicennan position does not exactly correspond to this. Although, to the best of my knowledge, two-sided possibility may not constitute the minor premise for Avicenna, one-sided possibility may do so (e.g. all LML moods in the first figure are valid). At any rate, given his reading, Kātībī must exclude the two types of possibilities from among his minor premises. Thus, the total maximum number of mixed modals in the first figure for him is one hundred and forty-three, i.e. eleven by thirteen. See Kātībī, *Risāla*, 414f.

- [8] For Avicenna, a statement like “Every Ethiopian is black” may be a general absolute or a general conditional, but for Fārābī it is only a possible.
- [9] For Fārābī, the affirmative [*ḥaqīqī*] proposition is not falsified when, at the time of their coming into extra-mental existence, the individual instances described by the subject-term with respect to possibility-as-things-are, fail to carry the predicate; but they are falsified due to this failure for Avicenna.⁸⁹
- [10] For Fārābī, the occurrence of the predicate for the individual instances of a negative proposition, [individual instances] described by the subject-term by a possibility-as-things-are, at the time of their emergence in extra-mental reality, does not make [the proposition] false; but it does become false for Avicenna in such a case, since “No Ethiopian is white” is true for Avicenna and false for Fārābī.⁹⁰
- [11] For Fārābī the possibility of the description has a part to play in the necessity of the occurrence or negation of the predicate in a general conditional; for Avicenna, the existence [of the description] in actuality has a part to play in that necessity.
- [12] For Avicenna the general conditional, in the sense that the description of the subject was a condition of the necessity, is absolutely

and the commentary of Taḥṭānī and gloss of Jurjānī on these pages. See also Rescher, *Temporal Modalities*, p. 33.

⁸⁹ The translation is somewhat paraphrased, given the syntactical convolution of the sentence in Arabic. I have had some difficulty explaining the claim made here and have only been able to offer a less than ideal answer by emending the text, by attaching the negation to the case of Fārābī and removing it from the case of Avicenna. Even so, I can only interpret this to mean that since the individual instances in the Fārābī case may or may not be picked out by the subject term, their failing to do so does not thereby falsify the affirmation. Thus, for example, “All writers move their fingers” is read by Fārābī as “All writers move their fingers for as long as they are possibly-writers.” Should those individual instances that are possibly-writers come to exist without being writers and so also without moving their fingers, the original proposition still remains true. Alternatively, falling on the case to follow (number 10)—which indirectly justifies this emendation, given that there is an obvious error there—we may take the “Every Ethiopian is black” as an example of the affirmative in question. This proposition, when read as a *ḥaqīqī* in the Fārābī sense, is false, but true in the Avicennan *ḥaqīqī* sense. Given this, should non-black Ethiopians come to exist in extra-mental reality, Fārābī’s proposition is not falsified, but Avicenna’s is.

⁹⁰ The textual emendation I propose is important to note. For my tentative explanation of the point being made here, see the note above.

more particular than the general absolute; but for Fārābī there is a [shared] generality between the two in a certain way.⁹¹

It is clear that if you ponder [this further] you will find differences between Avicenna and Fārābī in most of the matters [related to] contradictory-conversion, contradiction, and mixes that conclude in the second, third, and fourth figures. But this is other than what we intended to write [about] and investigate—by the grace of God, praise be upon Him and blessings upon his Prophet.

⁹¹ In other words, for Avicenna one is always more general than the other and for Fārābī one is sometimes more general and sometimes more particular than the other.

بسم الله الرحمن الرحيم

يقول الفقير محمد الأمدي لما قررنا النزاع بين الشيخ والفارابي في إتصاف ذات موصوف بوصفه بالفعل أو بالإمكان بينا فقد وقع الإشتباه على أذهان بعض المشتغلين لدينا فالتمسوا مني أن أئين موافق شرحه بيانا لما يتوسط في وسط ربح الريب فرعت على وفق إلتماسهم

فقلت إتفق الشيخ والفارابي على أن كل قضية محصورة لا يخلو من أن تكون حقيقية أو خارجية وعلى أن الحكم في الحقيقة على الأفراد الممكنة وفي الخارجية على الأفراد الموجودة في الخارج فحكم الشيخ بأنه لا بد من أن يكون صدق ذلك الوصف على الأفراد بالتعقل حيث صرح في موضع من الشفاء ما «حصله» [محصله] أن الحكم في القضية الخارجية على الأفراد الموجودة في الخارج مع إتصاف تلك الأفراد في الخارج بوصف الموضوع بالفعل في أحد الأزمنة وفي الحقيقة على الأفراد الممكنة لو قدر وجودها في الخارج لكنت متصفة بوصف الموضوع بالفعل

والفارابي حكم بأنه لا بد من أن يكون إتصاف ذات الموضوع بوصفه بالإمكان النفس الأمري حيث صرح في التعليم الثالث ما «محصله» [محصله] أن القضية الخارجية ما يحكم فيها على الأفراد الموجودة مع إتصاف تلك الأفراد بوصف الموضوع بالإمكان النفس الأمري وأن القضية الحقيقية ما يحكم فيها على الأفراد الممكنة التي لو قدر وجودها في الخارج لكنت متصفة بوصف الموضوع بالإمكان النفس الأمري

فأقول وبالله التوفيق أنه لا بد لتفريق كل من المذهبين عن الآخر في المواد من بسط المقدمات وتمهيدها فاعلم أن الكلي ما لا يمنع عن وقوع الشركة بين الكثيرين ولو فرض فلا [يؤبى] «يأبى» الكلي المعروف بهذا التعريف عن صدقه على الأفراد الممتعة ولما ثبت أن موضوع كل محصورة ومحمولها لا بد أن يكون كلياً فلزم على

القائل بالقضية عدم إعتبار الممتعة في الموضوع والمحمول الكليين وإلا لزم إتصاف المتباينات بمحمول واحد فيفضي إلى عدم العلم بكنه الشئ وإلى عدم الإمتياز بين الحقائق والتالي [باطل] «بط» والمقدم مثله

لذا إتفق المنطقيون في تخصيص موضوع القضية المحصورة بالأفراد الممكنة من حيث إمكانها بل يحتاج إلى وجودها في الخارج فقالوا المحصورة تعتبر تارة بحسب الحقيقة إن كان الحكم واقعا على الأفراد من حيث إمكانها وتارة بحسب الخارج إن كان الحكم واقعا على الأفراد الموجودة في الخارج حال الحكم

فالشيخ لما رأى أن الحكم على الأفراد التي إتصافها بوصف الموضوع بالإمكان النفس الأمري مفض إلى عدم إمتياز الأصناف الداخلة تحت نوع واحد في شئ من المحمولات على طريقة الإيجاب الكلي والسلب الكلي إختار في إتصاف الأفراد بوصف الموضوع كون ذلك الإتصاف بالفعل

أما الملازمة فظاهرة وأما [الواصفة] «الواضعة» فلأن وصف كل صنف من الأصناف وصف للآخر بالإمكان النفس الأمري لإشتراك تلك الأصناف في الماهية النوعية ولعدم المانع من عروض وصف كل صنف على الماهية النوعية فيصدق على وصف من الأوصاف كل من أصناف ما لا يكون الذات آيبا عنه ولا يكون ممتعا بالغير وإن كان بين الأصناف تباين كما لا يخفى فحصل عنده إمتياز كل من الأصناف عن الآخر في بعض المحمولات على طريق الإيجاب الكلي والسلب الكلي كما حصل الإمتياز بالإيجاب الجزئي والسلب الجزئي

والفارابي لما رأى تخصيص الموضوع الكلي بما عد الأفراد الممتعة بالدليل الذي ذكرناه لم يرتكب «لا تخصيص» [لتخصيص] إتصاف أفراد الموضوع الكلي بأن يكون ذلك الإتصاف بالفعل «فحصل» [فيحصل] عنده إمتياز كل صنفين من الأصناف الداخلة تحت نوع واحد في بعض المحمولات على طريقة الإيجاب

الجزئي والسلب الجزئي وأن يحصل الإمتياز في شئ من المحمولات على طريقة الإيجاب الكلي أو السلب الكلي

فظهر مما ذكرناه أن النسبة بين الحقيقية الكلية عند الشيخ والتي عند الفارابي على طريقة العموم والخصوص المطلق والتي عند الشيخ أعم والتي عند الفارابي أخص لأن المحمول الذي ثبت على جميع الأفراد الممكنة من حيث إتصافها بالوصف بالإمكان أو سلب عنه ثابت على جميع الأفراد الممكنة من حيث إتصافها بالوصف بالفعل أو مسلوب عنه وليس بالعكس فمادة الإجتماع كقولنا كل زنجي حيوان ولا شئ من الزنجي بحجر ومادة الإقتراق كقولنا كل كاتب متحرك الأصابع بالضرورة ما [دام] <دم> كاتباً ولا شئ من الكاتب بساكن الأصابع بالضرورة ما دام كاتباً

وأن النسبة بين الجزئية الحقيقية عند الشيخ والتي عند الفارابي بالعموم والخصوص المطلق على عكس ما سبق حيث أن الجزئية الحقيقية عند الشيخ أخص من التي عند الفارابي لأنها أينما وجدت على رأي الشيخ توجد على رأي الفارابي بخلاف العكس وثبت أن بعض الأفراد التي تصدق عليها وصف الموضوع بالفعل هو بعض الأفراد التي تصدق عليها ذلك الوصف بالإمكان النفس الأمري بخلاف العكس فمادة الإجتماع كقولنا بعض الزنجي أسود وبعض الرومي ليس بأسود ومادة الأقرار كقولنا بعض الزنجي ليس بأبيض وبعض الزنجي ليس بأسود

والنسبة بين الخارجية الكلية عند الشيخ والتي عند الفارابي كالنسبة بين الحقيقية الكلية عند الشيخ والتي عند الفارابي وكذا [النسبة] <لنسبة> بين الخارجية الجزئية عند الشيخ والتي عند الفارابي

فإذا عرفت هذه المذكورات فاعلم أن القضية التي تجتمع فيها الكلية والجزئية عند الشيخ والفارابي تعتبر بالقياس إلى أخذ أفراد الموضوع بإعتبارين أحدهما إعتبار

الأفراد التي لو قدر وجودها في الخارج لكانت متصفة بوصف الموضوع بالفعل وثانيهما إعتبار الأفراد التي لو قدر وجودها لكانت متصفة بوصف الموضوع بالأمكن النفس الأمري وكذا القضية التي يجتمع فيها الخارجية الكلية والجزئية عند الشيخ والفارابي [تعتبر بالقياس] 'يعتبر الفارابي' إلى أخذ أفراد الموضوع بالإعتبارين المذكورين فيكون الأفراد التي يحكم عليها على طريقة الحقيقة الكلية والجزئية والخارجية الكلية والجزئية عند الشيخ أقل من الأفراد التي يحكم عليها على طريقة الحقيقة الكلية أو الجزئية أو الخارجية الكلية أو الجزئية عند الفارابي هذا إذا كان وصف الموضوع أحد أوصاف الأصناف الداخلة تحت نوع واحد وأما إذا كان وصف الموضوع نوعاً أو جنساً أو فصلاً للأفراد التي يحكم عليها فلا فرق بين الإعتبارين لأن الشيخ لا يمكن أن يتصف بنوعه أو جنسه أو بفصله بالفعل كما لا يخفى

ومما ينبغي أن يعلم أن هذا النزاع يقتضي المخالفة بينهما في [أحكام] 'أحكام' كثيرة منها أن السالبة الكلية الضرورية تنعكس بالعكس المستوي إلى [سالبة] 'السالبة' دائمة عند الشيخ وإلى سالبة ضرورية عند الفارابي

ومنها أن السالبة الكلية المشروطة العامة تنعكس إلى سالبة كلية عامة عند الشيخ وإلى سالبة كلية مشروطة عامة عند الفارابي

ومنها أن السالبة الكلية المشروطة الخاصة تنعكس إلى سالبة كلية عرفية عامة مقيدة باللا دوام في البعض عند الشيخ وتنعكس إلى سالبة كلية مشروطة عامة مقيدة باللا دوام في البعض عند الفارابي

ومنها أن المشروطة الخاصة السالبة الجزئية تنعكس إلى عرفية خاصة سالبة جزئية عند الشيخ وإلى مشروطة خاصة سالبة جزئية عند الفارابي

ومنها أن لا تنعكس الممكتتان عند الشيخ وتنعكسان عند الفارابي
ومنها أن لا يصح كون أحد الممكتين عند الشيخ صغرى للشكل الأول وأن يصح
كونها صغرى له عند الفارابي

والإختلاطات المنتجة في الشكل الأول هي الحاصلة من ضرب أحد عشر إلى
ثلاثة عشر عند الشيخ والحاصلة من ضرب ثلاثة عشر إلى ثلاثة عشر عند الفارابي
ومنها أن مثل قولنا كل زنجي أسود يصح أن يكون مطلقة عامة أو مشروطة عامة عند
الشيخ وممكنة فقط عند الفارابي

ومنها أن [لا] تكذب القضية الموجبة بتخلف محمولها عن الأفراد التي إتصفت
بوصف الموضوع بالإمكان النفس الأمري وقت تقدم وجودها في الخارج عند
الفارابي و «لا» تكذب بذلك التخلف عند الشيخ

ومنها أن القضية السالبة لا تكذب بثبوت محمولها للأفراد التي إتصفت بوصف
الموضوع بالإمكان النفس الأمري وقت تقدم وجودها في الخارج عند الفارابي
و «لا» تكذب بذلك الثبوت عند الشيخ حيث أنه لا شئ من الزنجي بأبيض صادق
عند الشيخ وكاذب عند الفارابي

ومنها أن لإمكان «الإمكان» الوصف [دخلا] «دخل» في ضرورة ثبوت
المحمول أو في ضرورة سلبه في المشروطة العامة عند الفارابي ولوجوده بالفعل
[دخلا] «دخل» في تلك الضرورة عند الشيخ

ومنها أن المشروطة العامة بالمعنى الذي كان وصف الموضوع شرطاً للضرورة
أخص مطلقاً من المطلقة العامة عند الشيخ وبينهما عموم من وجه عند الفارابي

ولا يخفى أنك إذا تأملت وجدت المخالفة بين الشيخ والفارابي في أكثر مواد عكس النقيض وفي أكثر مواد النقيض وفي الإختلاطات المنتجة في الشكل الثاني والثالث والرابع وليكن هذا آخر ما قصدنا تحريره وتحقيقه بتوفيق الله تعالى الحمد له والصلوات على نبيه تمت

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